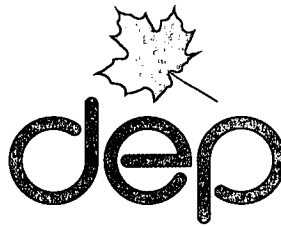


**Dominion Exp**  
**33910, 33914, 34634**

**Docket 202-195**



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west virginia department of environmental protection

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Oil and Gas Conservation Commission  
601 57<sup>th</sup> Street, SE Charleston, WV 25304  
(304)926-0499, Ext 1656

Joe Manchin III, Governor  
Randy C. Huffman, Cabinet Secretary  
[www.wvdep.org](http://www.wvdep.org)

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA**

IN THE MATTER OF THE REQUEST BY DOMINION  
EXPLORATION AND PRODUCTION, INC. FOR EXCEPTION  
LOCATIONS REGARDING THE DRILLING OF THE  
PROPOSED WELL NUMBERS 33910, 33914, AND 34634  
TO BE LOCATED IN PHILIPPI AND PLESANT DISTRICTS,  
BARBOUR COUNTY, WEST VIRGINIA

DOCKET NO. 202-195  
ORDER NO. 2

**REPORT OF THE COMMISSION**

This cause came before the Commission on September 15, 2009, in the Department of Environmental Protection Conference Room, Charleston, West Virginia after giving notice as required by law, at the request of Dominion Exploration and Production, Inc., (herein after referred to as "Dominion"), on the previously tabled application seeking approval for exceptions to Operational Rule 39-1.4.2, for the drilling of three proposed wells identified as 33910, 33914, and 34634. Dominion proposes to drill 80' below the top of the Onondaga formation. The proposed locations do not meet the spacing requirement imposed on deep wells; therefore, Dominion has requested approval from the Commission for exception to rule 39-1.4.2. Present for Dominion were Greg Cunningham, William Carpenter, Doug Reif, Jedediah Spratt, and Jeff Hosaflook. No opposing or noticed parties made an appearance.

The Commission heard testimony from two witnesses, being Bill Carpenter and Doug Reif, on behalf of Dominion, and the witnesses were subject to cross examination. The testimony included an amendment to the application stating that there is a deep well within 3000' of the proposed well 34634, the existing deep well is identified as API 47-001-02994.

Following the testimony, there being no other witnesses or parties interested in or affected by the application present, the Board voted on and thereupon convened an executive session. After breaking from executive session, a Motion was made by a member of the Commission to grant the exception for proposed wells 33910, 33914, and 34634 to be within 400' of a lease line, and for 34634 to be within 3000' feet of an existing deep well identified as 47-001-02994. The Motion was properly seconded. There being no objection to the Motion, a vote was taken. There being two ayes, and no nays, with the chair abstaining and two members absent and not voting, the Motion carried, and the exceptions to the spacing requirements were granted.

Following the granting of the exception locations, the Commission, sua sponte, called an emergency meeting on September 22, 2009, as allowed by W.Va. Code §6-9-3. The Commission was concerned because of the discovery that the application filed by Dominion was

Promoting a healthy environment.

incomplete as it had not disclosed a deep well already drilled and completed within 3000' of the proposed well 33910, this well being identified as API 47-001-02985.

Thereupon, the Commission heard from one witness, Greg Cunningham, on behalf of Dominion who asked the board to modify the permit application to include an exception to allow proposed well 33910 to be drilled at a distance of 2867' from a completed well identified as 47-001-02985. Cunningham testified that the omission of this on the application was an oversight. He further testified the existing well is a Dominion well and was permitted as a deep well.

Following the testimony, there being no other witnesses or parties interested in or affected by the application present, the Board voted on and thereupon convened an executive session. After breaking from executive session, a Motion was made by a member of the Commission to modify the application to request an exception to the spacing requirement asked for by Dominion. The Motion was properly seconded. There being no objection, to the Motion, a vote was taken. There being two ayes, and no nays, with the chair abstaining and two members absent and not voting, the Motion carried and the application was modified. A second Motion was made by a member of the Commission to grant the further exception for proposed well 33910 to be within 3000' feet of a deep well 47-001-02985. The Motion was properly seconded. There being no objection, to the Motion, a vote was taken. There being two ayes, and no nays, with the chair abstaining and two members absent and not voting, the Motion carried, and the exceptions to the spacing requirements were granted.

Thereupon, the Commission makes the following Findings of Fact and Conclusions of Law:

#### **FINDINGS OF FACT**

1. Members of the Commission present at both votes were James Martin, Robert Radabaugh, and Anthony Gum.
2. The applicant is an operator within the meaning of paragraph (4) subsection (a) of the West Virginia Code 22C-9-2.
3. Dominion wishes to drill proposed wells 33910, 33914, and 34634 to reach the bottom of the Marcellus formation. The Marcellus shale formation lies directly above the Onondaga limestone formation. Dominion intends to drill 80' below the Marcellus into the Huntersville Chert formation. Applicant's witness testified that 80' is necessary to fully log the Marcellus formation and will allow the applicant to get logging tools, casing, tubing and perforating tools to sufficient depth below the pay zone.
4. The proposed wells are deep wells as they will penetrate deeper than 20' below the top of the Onondaga group as defined by West Virginia Code 22C-9-2.
5. The witness testified that at no time will the Onondaga, or any formation below the Onondaga, be perforated, produced from, or stimulated in any way by any of the three proposed wells.
6. The locations of the proposed wells were chosen due to the topography and the geology of the potential producing formation.
7. The proposed location of 33910 is 319' from the lease line, the proposed location of 33914 is 216' from the lease line, and the proposed location of 34634 is 339' from the lease line. The spacing between proposed well 34634 is 2377' from well 47-001-02994, and the spacing between proposed well 33910 is 2867' from Dominion's well 47-001-02985. In all cases exceptions to rule 39-1.4.2 are required.

8. The witness testified that there are no deep wells, other than 47-001-02994 and 47-001-02985, within 3,000' of the proposed locations.
9. There were no objections by any noticed parties.
10. A Motion was made, and properly seconded, to grant Dominion's applications for the exceptions to the spacing requirements.
11. The Commission voted upon the Motion, with it passing unanimously.

### CONCLUSIONS OF LAW

1. That due notice of time, place and purpose of the hearing has been given in all respects as required by law.
2. That Operational rule 39-1.4.2 requires that all deep wells drilled shall be not less than 3,000 feet from a deep well drilling to or capable of producing hydrocarbons from the objective pool of the deep well and that each well be no less than 400' from a lease or unit boundary, and that Operational rule 39-1.4.3 allows for an exception to Operational rule 39-1.4.2.
3. That pursuant to Chapter 22C, Article 9, Code of West Virginia, as amended, the Commission has jurisdiction over the subject matter embraced in said notice, and the persons interested therein, and jurisdiction to promulgate the hereinafter prescribed Order, and that a quorum of the Commission was present at the hearing.

### ORDER

Therefore, based on the Findings of Fact and Conclusions of Law, the West Virginia Oil and Gas Conservation Commission grants the applied for exceptions to rule 39-1.4.2 to Dominion for the drilling of the proposed wells 33910, 33914, and 34634 which will be within 400' of the lease line. Secondly, the Commission is granting an exception to proposed well 34634 to be within 3000' of the well 47-001-02994. Thirdly, the Commission is granting exception to proposed well 33910 to be within 3000' of Dominion's well 47-001-02985. Furthermore, Dominion will furnish to the Commission a copy of the bond log and perforating log within thirty days of the completion of the abovementioned wells. It is further Ordered that Dominion shall submit an affidavit signed by a principal of the company stating that the well was not and will not at any time in the future be produced, perforated or stimulated in any manner in a formation below the top of the Onondaga formation.

IN THE NAME OF THE STATE OF WEST VIRGINIA

OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA

By: \_\_\_\_\_

James A. Martin, Chairman

Dated this 20th day of October, 2009, at Charleston, West Virginia.

BEFORE THE OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA

IN THE MATTER OF THE REQUEST BY  
DOMINION EXPLORATION AND PRODUCTION,  
INC. FOR EXCEPTION LOCATIONS  
REGARDING THE DRILLING OF  
THE PROPOSED WELL NUMBERS 33910,  
33914 AND 34634 TO BE LOCATED IN  
PHILIPPI AND PLEASANT DISTRICTS,  
BARBOUR COUNTY, WEST VIRGINIA.

DOCKET NO. 202  
CAUSE NO. 195

**TRANSCRIPT OF PROCEEDINGS** had or testimony  
adduced in the above-entitled matter, on the 15<sup>th</sup> day of  
September, 2009, commencing at 11:10 a.m. and concluding at  
11:30 a.m., at the Office of the Department of  
Environmental Protection, 601 57<sup>th</sup> Street, S.E.,  
Charleston, Kanawha County, West Virginia, pursuant to  
notice to all interested parties.

BEFORE: JAMES MARTIN, Chairman  
ANTHONY GUM, Member  
ROBERT RADABAUGH, Member  
STACY DELONG, Counsel for Commission  
CYNTHIA RAINES, Staff

**ORIGINAL**

**NANCY MCNEALY**  
CERTIFIED COURT REPORTER  
Post Office Box 13415  
Charleston, West Virginia 25360-0415  
(304) 988-2873 FAX (304) 988-1419

APPEARANCES: ON BEHALF OF DOMINION EXPLORATION  
AND PRODUCTION, INC.:

GREG CUNNINGHAM  
BILL CARPENTER  
JEFF HOSAFLOOK  
DOUGLAS RIEF  
JEDIDIAH SPRATT

## I N D E X .

<u>Applicant's Witness:</u>	<u>Direct</u>	<u>Examination</u>
Bill Carpenter	4	7 (M)
Douglas Rief	9	9/10 (M)
		10 (R)
Jeffrey Hosaflook	11	12 (M)

<u>Commission's Exhibits:</u>	<u>Marked &amp; Received</u>
No. 1, Revised Applications for 33910, 33914, 34634	4
No. 2, Map	11

Reporter's Certificate.....Page 16

1                   CHAIRMAN MARTIN:     Before the Oil and Gas  
2 Conservation Commission of the State of West Virginia in  
3 the matter of the Request by Dominion Exploration and  
4 Production, Inc. for Exception Locations Regarding the  
5 Drilling of the Proposed Well Numbers 33910, 33914 and  
6 34634 to be Located in Philippi and Pleasant District,  
7 Barbour County, West Virginia, Docket No. 202, Cause No.  
8 195, and this matter is actually a continuation of a  
9 hearing that originally began on August 25<sup>th</sup>. 2009.

10                   Let the record show that members of the  
11 Commission present today are Robert Radabaugh, Tony Gum and  
12 James Martin, counsel for the Commission, Stacy DeLong and  
13 staff from the Commission, Cindy Raines.

14                   I'd like to place of record a copy of  
15 revised applications for the three subject wells.

16   (WHEREUPON, the Revised  
17 Applications were marked as  
18 Exhibit No. 1 for  
19 identification and received  
20 in evidence.)

21                   CHAIRMAN MARTIN:     And with that, the Board will  
22 take appearances.

23                   MR. CUNNINGHAM:     Mr. Chairman, we like to  
24 submit testimony from William Carpenter. Upon reviewing



1 additional information for one of the applications, he  
2 would like to discuss Well 34634.

3 CHAIRMAN MARTIN: Can you please identify  
4 yourself?

5 MR. CUNNINGHAM: My name is Greg Cunningham.  
6 I am Dominion Exploration's Superintendent of Land.

7 CHAIRMAN MARTIN: And is Mr. Carpenter the only  
8 person who is going to be testifying?

9 MR. CUNNINGHAM: No. Doug Rief, Senior  
10 Geologist, will be testifying also, R-i-e-f, for any kind  
11 of structural questions that the Board so desires to ask.

12 CHAIRMAN MARTIN: Okay, if I could just have  
13 those witnesses sworn, please.

14 (Witnesses sworn.)

15 CHAIRMAN MARTIN: Okay. Mr. Cunningham, if you  
16 want to continue.

17 MR. CUNNINGHAM: I'll call Bill Carpenter.

18 THEREUPON

19 **B I L L C A R P E N T E R**

20 called as a witness by Dominion, having been first duly  
21 sworn, testified as follows:

22 **DIRECT EXAMINATION**

23 BY MR. CUNNINGHAM:

24 Q Okay, Mr. Carpenter, upon review of --

1           A     I just wanted to -- there at our last  
2 meeting, there was discussion of the thickness of the  
3 Huntersville Chert and the TD and upon further review of  
4 deep well logs in the area, the Huntersville Chert is  
5 thicker than what we thought were the 60 feet that we  
6 reported in the last meeting, so there's -- drilling the 80  
7 feet of rathole, there's no risk of getting into the  
8 Oriskany whatsoever.

9           MR. RADABAUGH: You say it's 60 feet --

10          THE WITNESS: No, in the last meeting I need to  
11 retract it. I thought it was 60 feet, but it's actually on  
12 the order of closer to 200.

13          MR. RADABAUGH: Okay.

14          THE WITNESS: We've brought along maps. I know  
15 Barry wanted to know if there was any production of ten  
16 miles, and we've brought maps to, you know, showing every  
17 well within ten miles that either basically penetrated the  
18 Onondaga more than 20 feet, what it is producing from and a  
19 well log showing that the thickness of the Huntersville  
20 Chert with the Oriskany. So we submit those.

21          CHAIRMAN MARTIN: Are you wanting to submit  
22 those as an exhibit?

23          THE WITNESS: That's fine, absolutely.

24          CHAIRMAN MARTIN: Okay.

1 MR. CUNNINGHAM: I reserve that testimony for  
2 Mr. Rief.

3 CHAIRMAN MARTIN: Okay, then we can deal with  
4 that at that time, I guess.

5 THE WITNESS: I just want to retract the 60 feet  
6 of the Huntersville Chert. It was actually, upon further  
7 review, it was much thicker.

8 **EXAMINATION**

9 BY CHAIRMAN MARTIN:

10 Q Okay, so how thick -- we go through the  
11 Marcellus to the Onondaga, right?

12 A Correct.

13 Q How thick is the Onondaga?

14 A Over in Philippi I believe it was 18 feet.

15 MR. RIEF: A good average would be 12-to-15  
16 feet to the Onondaga.

17 BY CHAIRMAN MARTIN:

18 Q And then we go to the Huntersville.

19 A Huntersville Chert.

20 Q And it's -- you're testifying how thick  
21 approximately?

22 A We have exactly I believe.

23 MR. RIEF: 180 feet.

24 THE WITNESS: 180 feet. So there's no risk of

1 getting into the Oriskany so.

2 CHAIRMAN MARTIN: Okay. Do you have anything  
3 further to present?

4 THE WITNESS: No, that was it.

5 CHAIRMAN MARTIN: Any questions of the Board of  
6 this witness?

7 MR. GUM: No.

8 THE WITNESS: Well 34634. I believe it was also  
9 mentioned that there were no wells within 3,000 feet. It  
10 turns out there's a recent PDC well permitted 2,377 feet  
11 away to the southeast and on the new plat it says there's a  
12 note that it's the only deep well in the circle. That's  
13 been changed.

14 BY CHAIRMAN MARTIN:

15 Q In what formation is it?

16 A The Marcellus.

17 Q It's a Marcellus completion?

18 A It was Marcellus proposed. It's our  
19 understanding it was completed in the Marcellus. Of  
20 course, there hasn't been a completion report submitted to  
21 the state yet.

22 Q It was permitted as a deep well?

23 A Yes.

24 CHAIRMAN MARTIN: Okay, anything else?

1                   MR. CUNNINGHAM:       No, that's it, that's all for  
2 this witness.

3                   CHAIRMAN MARTIN:     Thank you.   Okay, do you want  
4 to call your next witness?

5                   MR. CUNNINGHAM:       Mr. Rief.

6   (Witness stands aside.)

7 THEREUPON

8   D O U G L A S     R I E F

9 called as a witness by Dominion, having been first duly  
10 sworn, testified as follows:

11   D I R E C T   E X A M I N A T I O N

12                   THE WITNESS:     We have prepared a map that shows  
13 the area, a well log from an adjacent well and a listing of  
14 the wells.   In blue are the three wells that we are trying  
15 to get the permits on.   The gray circles are a 3,000 foot  
16 radius around all deep permitted wells and the yellow stars  
17 signify two wells that had production established in the  
18 Huntersville that are within a ten-mile radius.   Both of  
19 those to my knowledge have been plugged back and completed  
20 in shallower zones, but this was to fulfill the request  
21 from the last time.

22   E X A M I N A T I O N

23                   BY CHAIRMAN MARTIN:

24                   Q     And that information would reflect earlier

1 testimony of the thickness of the Onondaga and the  
2 thickness of the Huntersville that was related as part of  
3 that testimony?

4 A Yes. The well log is from 662 which is the  
5 closest deep well to our area and it shows the Onondaga at  
6 12 feet. The Huntersville is 180 before the Oriskany.  
7 This log does not appear to have any faults or removed  
8 sections so I think it's very representative of our area.

9 **EXAMINATION**

10 BY MR. RADABAUGH:

11 Q So your gray circle is a 3,000 foot --

12 A Radius around the location.

13 Q Okay.

14 A The color here on the well log, the red  
15 would show the 80 feet into the Huntersville and where it  
16 would be in depth relative to the Oriskany.

17 **EXAMINATION (Continuing)**

18 BY CHAIRMAN MARTIN:

19 Q The blue dots are overlapping part of your  
20 gray circle, is that just because of the size of the dot?  
21 I mean I'm assuming --

22 A Well.

23 Q -- there's just actually one well that falls  
24 within the 3,000 foot. Is that what we heard earlier?

1           A     As Bill stated, our 34634 is within 3,000  
2 feet of the PDC permit 2994. The others are outside of the  
3 3,000 foot radius from any existing permitted deep well.

4           CHAIRMAN MARTIN:     You wanted to submit that as  
5 part of your exhibit?

6                                   (WHEREUPON, the Map was  
7 marked as Exhibit No. 2 for  
8 identification and received  
9 in evidence.)

10                               (Witness stands aside.)

11           CHAIRMAN MARTIN:     Okay, I guess the other thing  
12 that we had left from last time was some clarification  
13 regarding the permit and the notice of that information.  
14 Who is going to testify to that?

15           MR. CUNNINGHAM:     Mr. Jeffrey Hosaflook.

16           CHAIRMAN MARTIN:     Okay, we need to get - - you  
17 haven't been sworn, right?

18           MR. HOSAFLOOK:     No.

19                               (Witness sworn.)

20           THEREUPON

21                               **J E F F R E Y     H O S A F L O O K**

22 called as a witness by Dominion, having been first duly  
23 sworn, testified as follows:

24                               **DIRECT EXAMINATION**

1 CHAIRMAN MARTIN: All right.

2 THE WITNESS: On 33914 we do have the surface  
3 waiver from the surface owner, coal waiver and also the  
4 lessor waiver is our lease-through, we had to have their  
5 permission for the site. You all should have those. 33634  
6 we have the coal waiver. Should have the surface waiver  
7 today but I'm not guaranteeing that. Then 33910 we do not  
8 have any waivers as of yet. So that's it.

9 **EXAMINATION**

10 BY CHAIRMAN MARTIN:

11 Q So what do you have in terms of the actual  
12 revision? As I recall, there was a question about whether  
13 it was a shallow or deep application.

14 A Oh, yes, we have corrected all that. We  
15 have corrected all that on each plat.

16 Q Do you have -- and that's been resubmitted  
17 to us?

18 A Resubmitted. We put those on record this  
19 morning. The lease lines have been noted. The deep wells  
20 have been noted. The date has changed. It's been -- from  
21 the status from shallow to deep wells, the target formation  
22 and the estimated depth have all been filled in on each  
23 plat.

24 Q And we have proof of service to reflect a



1 re-notice to those parties with that new information?

2 A Yes, sir.

3 Q Or with that additional information, okay.

4 A Most of those would be affidavits. I hand  
5 delivered all of them.

6 Q Just for clarification, you have actual  
7 waivers on some of this, right?

8 A Yes, sir.

9 Q But not on all?

10 A Not on all.

11 Q Okay, can you please -- I'm sorry, can you  
12 identify which ones you didn't have the waivers for?

13 A 34634 surface waivers I do not have. Should  
14 be receiving those today. The gentleman lives in Texas.  
15 We should be getting those back today. 33910 I do not have  
16 any waivers, coal nor surface.

17 CHAIRMAN MARTIN: Thank you. Anything, any  
18 questions from the Commission of this witness?

19 MR. RADABAUGH: None for this witness.

20 MR. GUM: No.

21 CHAIRMAN MARTIN: Is there anything else that  
22 the Applicant wishes to place of record at this time?

23 MR. CUNNINGHAM: Not at this time, sir.

24 (Witness stands aside.)

1 CHAIRMAN MARTIN: Okay, do I have a motion for  
2 our deliberation?

3 MR. RADABAUGH: I'd like to make a motion that we  
4 go to executive session for deliberation in this matter.

5 MR. GUM: Second.

6 CHAIRMAN MARTIN: Further discussion? All in  
7 favor?

8 COMMISSION: Aye.

9 CHAIRMAN MARTIN: Motion carried. If you could  
10 please, gentlemen, give us some time.

11 (WHEREUPON, the Commission  
12 deliberated, after which the  
13 proceedings continued as  
14 follows:)

15 CHAIRMAN MARTIN: We're back on. Do I have a  
16 motion?

17 MR. RADABAUGH: I'd like to make a motion. I  
18 make a motion to grant Dominion the request for exception  
19 to the rule for the following wells: 33910, 33914, 34634  
20 to allow them to drill within 400 feet of a lease line.  
21 Also grant the exception for Well No. 34634 to be within  
22 3,000 feet of another permitted deep well. Also allow them  
23 to drill or to TD in the Huntersville Chert formation.

24 Dominion shall submit to the Commission an

1 affidavit signed by an officer of the company stating that  
 2 nothing below the top of the Onondaga was perforated,  
 3 frac'd or is being produced, shall supply a copy of the  
 4 well logs and perforation logs from those various wells.  
 5 If at a later, they decide to either perforate, frac or  
 6 produce, they need to appear before the Commission and  
 7 request such.

8 MR. GUM: I will second that motion.

9 CHAIRMAN MARTIN: Any further discussion? All  
 10 those in favor?

11 COMMISSION: Aye.

12 CHAIRMAN MARTIN: Opposed? Okay, motion  
 13 carries. If there's nothing further for the record, we  
 14 will close the record. Thank you very much.

(WHEREUPON, the proceeding was concluded.)

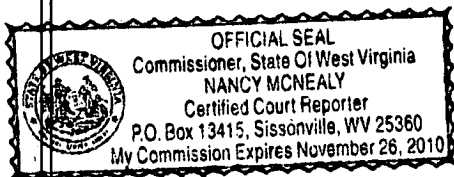
**REPORTER'S CERTIFICATE**

STATE OF WEST VIRGINIA,  
COUNTY OF KANAWHA, to wit:

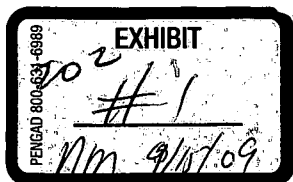
I, **NANCY MCNEALY**, Certified Verbatim Court Reporter and Commissioner of West Virginia, do hereby certify that the foregoing is, to the best of my skill and ability, a true and accurate transcript of all the proceedings as set forth in the caption hereof.

Given under my hand this 29th day of  
September, 2009.

My commission expires November 26, 2010.



Certified Verbatim Reporter  
Commissioner of West Virginia



1) Date: August 31, 2009  
2) Operator's Well Number 33910

3) API Well No.: 47 - 001 -           
State County Permit

**STATE OF WEST VIRGINIA - BUREAU OF ENVIRONMENT  
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
NOTICE AND APPLICATION FOR A WELL WORK PERMIT**

4) Surface Owner(s) to be served:

(a) Name Clare M. Abbott  
Address Rt. 1 Box 176  
Moatsville, WV 26405

(b) Name Anna J. Davis  
Address P.O. Box 112  
Volga, WV 26238

(c) Name                                   
Address                                 

6) Inspector Bryan Harris  
Address P.O. Box 157  
Volga, WV 26238  
Telephone 304-553-6087

5) (a) Coal Operator

Name                                   
Address                                 

(b) Coal Owner(s) with Declaration  
Name Dotson H. Cather, Trustee  
Address 315 Spring Ave.  
Clarksburg, WV 26301

Name Laura M. Goff Davis  
C/o Michale Hoeft  
Address Route 1 Box 605  
Milton, WV 25541

(c) Coal Lessee with Declaration  
Name Pristine Resources, Inc.  
Address 4020 Kinross Lake Parkway  
Richfield, OH 44286

**TO THE PERSONS NAMED ABOVE TAKE NOTICE THAT:**

Included is the lease or leases or other continuing contract or contracts by which I hold the right to extract oil and gas

OR

X Included is the information required by Chapter 22, Article 6, Section 8(d) of the Code of West Virginia (see page 2)

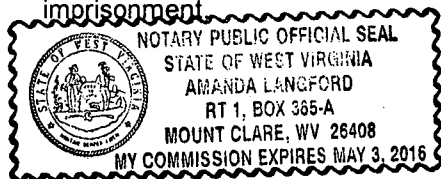
I certify that as required under Chapter 22-6 of the West Virginia Code I have served copies of this notice and application, a location plat, and accompanying documents pages 1 through          on the above named parties by:

- Personal Service (Affidavit attached)  
X Certified Mail (Postmarked postal receipt attached)  
         Publication (Notice of Publication attached)

I have read and understand Chapter 22-6 and 35 CSR 4, and I agree to the terms and conditions of any permit issued under this application.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.



Well Operator Dominion Exploration & Production, Inc.  
By: Rodney J. Biggs  
Its: Designated Agent-Vice President - Operations  
Address P.O. Box 1248  
Jane Lew, WV 26378  
Telephone 304-884-2027 (Please contact Landman - Jeff Hosaflook)

Subscribed and sworn before me this 8<sup>th</sup> day of September, 2009

Amanda Langford Notary Public  
My Commission Expires May 3, 2016

INFORMATION SUPPLIED UNDER WEST VIRGINIA CODE  
Chapter 22, Article 6, Section 8(d)  
IN LIEU OF FILING LEASE(S) AND OTHER CONTINUING CONTRACT(S)

Under the oath required to make the verification on page 1 of this Notice and Application, I depose and say that I am the person who signed the Notice and Application for the Applicant, and that –

- (1) the tract of land is the same tract described in this Application, partly or wholly depicted in the accompanying plat, and described in the Construction and Reclamation Plan;
- (2) the parties and recordation data (if recorded) for lease(s) or other continuing contract(s) by which the Applicant claims the right to extract, produce or market the oil or gas are as follows:

Grantor, lessor, etc.	Grantee, lessee, etc.	Royalty	Book/Page
Clinton Robinson, ET AL	Hope Natural Gas Co.	1/8	44/256

Well Operator: Dominion Exploration & Production, Inc.  
By: Rodney J. Biggs  
Its: Designated Agent-Vice President - Operations

4.94.



West Virginia Division of Environmental Protection  
Office of Oil and Gas

## NOTICE TO SURFACE OWNERS

The well operator named below is preparing to file for a permit from the state to drill a new well. Before a well work permit can be filed with the Chief of the Office of Oil and Gas, the well operator is required to have given notice of the right to request water well or spring analytical testing. This notice shall be given to the owners or occupants of land which have a water well or spring being utilized for human consumption, domestic animals, or other general use and which is located within 1000 feet of the proposed well site.

With this form, the operator is giving you notice of your right to request analytical testing. The operator is required to sample and analyze the water wells or springs of all owners or occupants who request it. Therefore, if you wish to have your water well or spring tested, contact the operator named below.

All sampling shall be completed prior to drilling. Within thirty (30) days of the receipt of such sample analyses the operator shall submit the results to the Chief of the Office of Oil and Gas and to the owners or occupants who may have requested them.

If no water well or spring is located within 1000 feet, the Chief may require the operator to sample and analyze water from a water well or spring within 2000 feet of the proposed well site.

Be advised, you have the right to sample and analyze any water supply at your own expense.

The laboratory used by the operator to analyze the samples will be approved by the Chief. The operator named below has decided to use the following laboratory to analyze the water samples:

<u>  X  </u>	Contractor Name	<u>Reliance Laboratories, Inc., (304) 842-5285</u>
<u>      </u>	Well operator's private laboratory	<u>P.O. Box 4657, Bridgeport, WV 26330-4657</u>
	Well Operator	<u>Dominion Exploration &amp; Production, Inc.</u>
	Address	<u>P.O. 1248</u>
		<u>Jane Lew, WV 26378</u>
	Telephone	<u>304-884-2000</u>

FOR OPERATOR'S USE ONLY: Below, or on an attached page, list those persons which were given this notice. Place an asterisk beside the one(s) that contacted you and requested sampling and analyses. If there were no requests made, indicate by underling which one you have selected to sample and analyze. If there are no water wells or springs within 1000 feet of the proposed site please indicate such.

NONE

DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
CONSTRUCTION AND RECLAMATION PLAN AND SITE REGISTRATION APPLICATION FORM  
GENERAL PERMIT FOR OIL AND GAS PIT WASTE DISCHARGE

API NUMBER 47- 001 - \_\_\_\_\_  
Operator's Well No. 33910

Operator Name DOMINION EXPLORATION & PRODUCTION, INC. OP ID \_\_\_\_\_

Watershed TYGART VALLEY RIVER Quadrangle PHILIPPI

Elevation 1308.01' County BARBOUR District PHILIPPI

Description of anticipated Pit Waste: FLUIDS ASSOCIATED WITH THE DRILLING OF NEW GAS WELLS

Will a synthetic line be used in the pit? YES

Proposed Disposal Method For Treated Pit Wastes:

X Land Application  
\_\_\_\_ Underground Injection (UIC Permit Number \_\_\_\_\_)  
\_\_\_\_ Reuse (at API Number \_\_\_\_\_)  
\_\_\_\_ Off Site Disposal (Supply for WW-9 for disposal location)  
\_\_\_\_ Other (Explain) \_\_\_\_\_

Proposed Work For Which Pit Will Be Used:

X Drilling \_\_\_\_\_ Swabbing  
\_\_\_\_ Workover \_\_\_\_\_ Plugging  
\_\_\_\_ Other (Explain) \_\_\_\_\_

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on June 14, 1994, by the Office of Oil and Gas of the West Virginia Division of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or other applicable law or regulation can lead to enforcement action.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

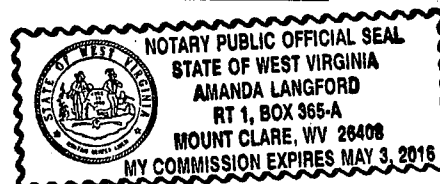
Company Official Signature RODNEY J. BIGGS *Rod Biggs* 1.4

Company Official (Typed Name) RODNEY J. BIGGS

Company Official Title VICE PRESIDENT OF OPERATIONS

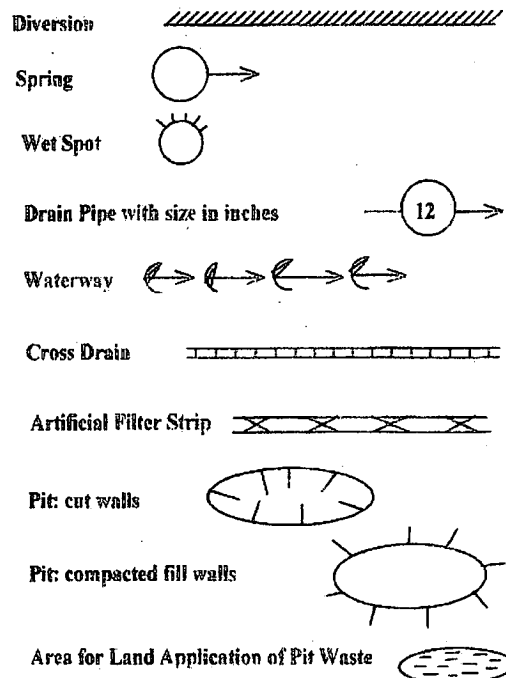
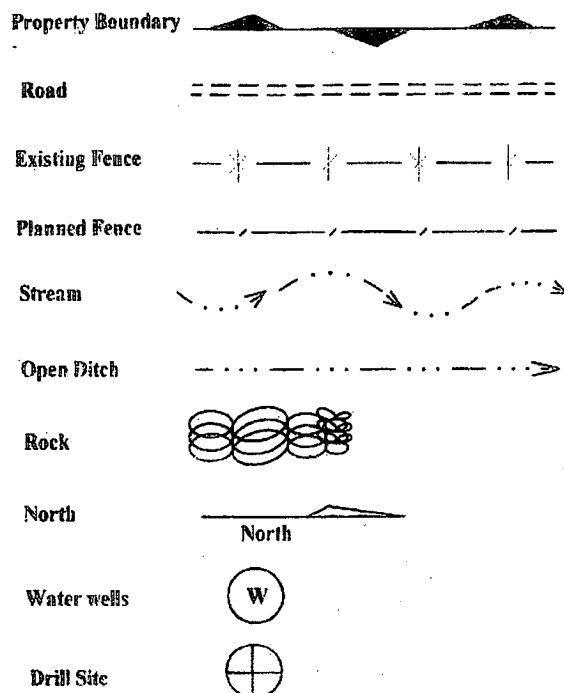
Subscribed and sworn before me this 8th day of September, 2009  
*Amanda Langford* Notary Public

My commission expires May 3, 2016





# LEGEND



Proposed Revegetation Treatment: Acres Disturbed 2.50 Prevegetation pH \_\_\_\_\_

Lime according to pH test Tons/acre or correct to pH 6.5

Fertilizer (10-20-20 or equivalent) 500 lbs/acre (500 lbs minimum)

Mulch HAY OR STRAW 2 Tons/acre

## Seed Mixtures

Area I		Area II	
Seed Type	lbs/acre	Seed Type	lbs/acre
ORCHARDGRASS	25	ORCHARDGRASS	25
BIRDSFOOT TREFOIL	15	BIRDSFOOT TREFOIL	15
LADINO CLOVER	10	LADINO CLOVER	10

## Attach:

Drawing(s) of road, location, pit and proposed area for land application.

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: Bryan O'Hara

Title: \_\_\_\_\_ Date: 9-1-9

Field Reviewed? (            ) Yes (            ) No

**STATE OF WEST VIRGINIA**  
**DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**  
**WELL WORK PERMIT APPLICATION**

1) Well Operator Dominion Exploration & Production, Inc. Operator ID Barbour Philippi Philippi  
County District Quadrangle

2) Operators Well Number: 33910 3) Elevation: 1308.01'

4) Well Type: (a) Oil \_\_\_\_\_ or Gas X \_\_\_\_\_  
 (b) If Gas: Production X / Underground Storage \_\_\_\_\_  
 Deep X / Shallow \_\_\_\_\_

5) Proposed Target Formation(s): Marcellus

6) Proposed Total Depth: 7430' Feet

7) Approximate fresh water strata depths: 70', 240', 475'

8) Approximate salt water depths: 1050', 1330'

9) Approximate coal seam depths: 60', 90', 350'

10) Does land contain coal seams tributary to active mine? No

11) Describe proposed well work Drill new well and complete Marcellus Shale, uphole zones will be  
completed at a later date. Well will be drilled to the Marcellus Shale + 80' to TD in the  
Huntersville Chert for logging and rathole purposes.

12) **CASING AND TUBING PROGRAM**

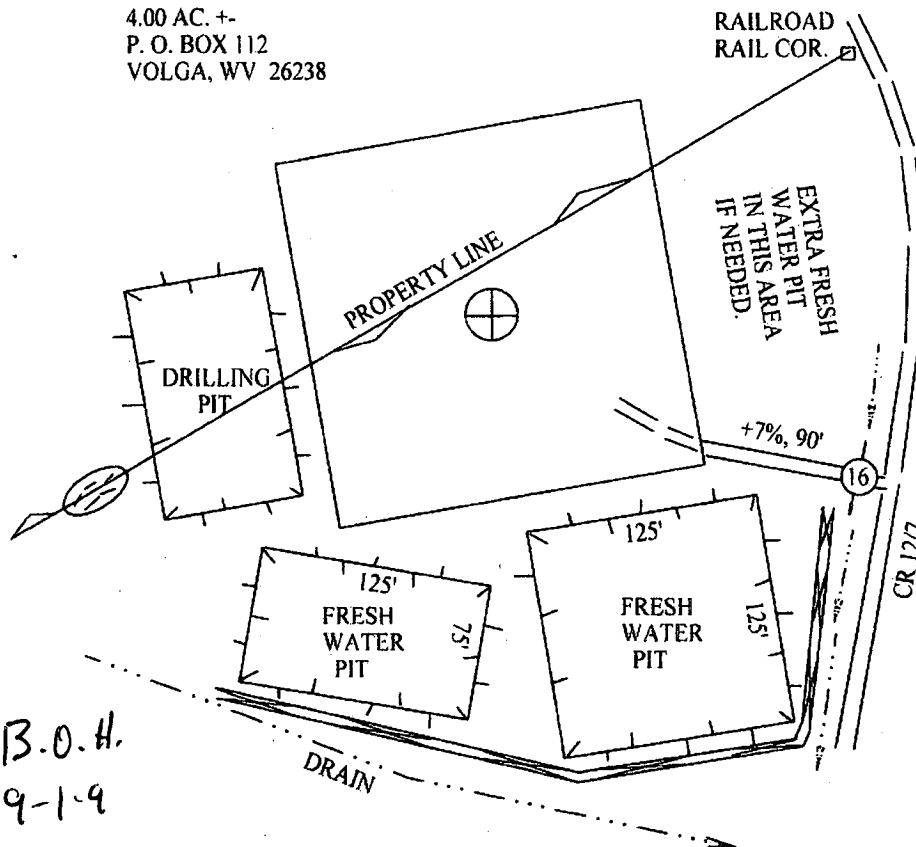
TYPE	SPECIFICATIONS			FOOTAGE INTERVALS		CEMENT
	Size	Grade	Weight per ft	For Drilling	Left in Well	Fill -up (Cu. Ft.)
Conductor	16"	LS	47	40'	40'	Sand In
Fresh Water	11 3/4"	LS	37	550'	550'	CTS
Coal						
Intermediate	8 5/8"	LS	23	1500'	1500'	CTS
Production	4 1/2"	P-110	11.6	7430'	7430'	200 cu ft
Tubing						
Liners						

Packers: Kind  
 Sizes  
 Depths Set

*B.O.H.*  
*9-1-9*

*MEW*

TM 3, PAR. 3.1  
ANNA J. DAVIS  
4.00 AC. +/-  
P. O. BOX 112  
VOLGA, WV 26238



TM 3, PAR. 3  
CLARE M ABBOTT  
64.14 AC. +/-  
RT. 1, BOX 176  
MOATSVILLE, WV 26405

LOCATION IS IN AN OVERGROWN FIELD.  
USABLE TIMBER WILL BE CUT AND STACKED.  
TOPSOIL WILL BE STOCKPILED FOR USE IN  
REVEGETATION.

ACCESS ROAD LEAVES CR 12/7 AND RUNS A  
SHORT DISTANCE THROUGH THE BRUSH  
TO THE SITE. ROCK WILL BE USED ON ROAD  
AND WHERE NECESSARY.

LAND SURVEYING SERVICES  
21 CEDAR LANE  
BRIDGEPORT, WV 26330  
PHONE: 304-842-2018 OR 5762

DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

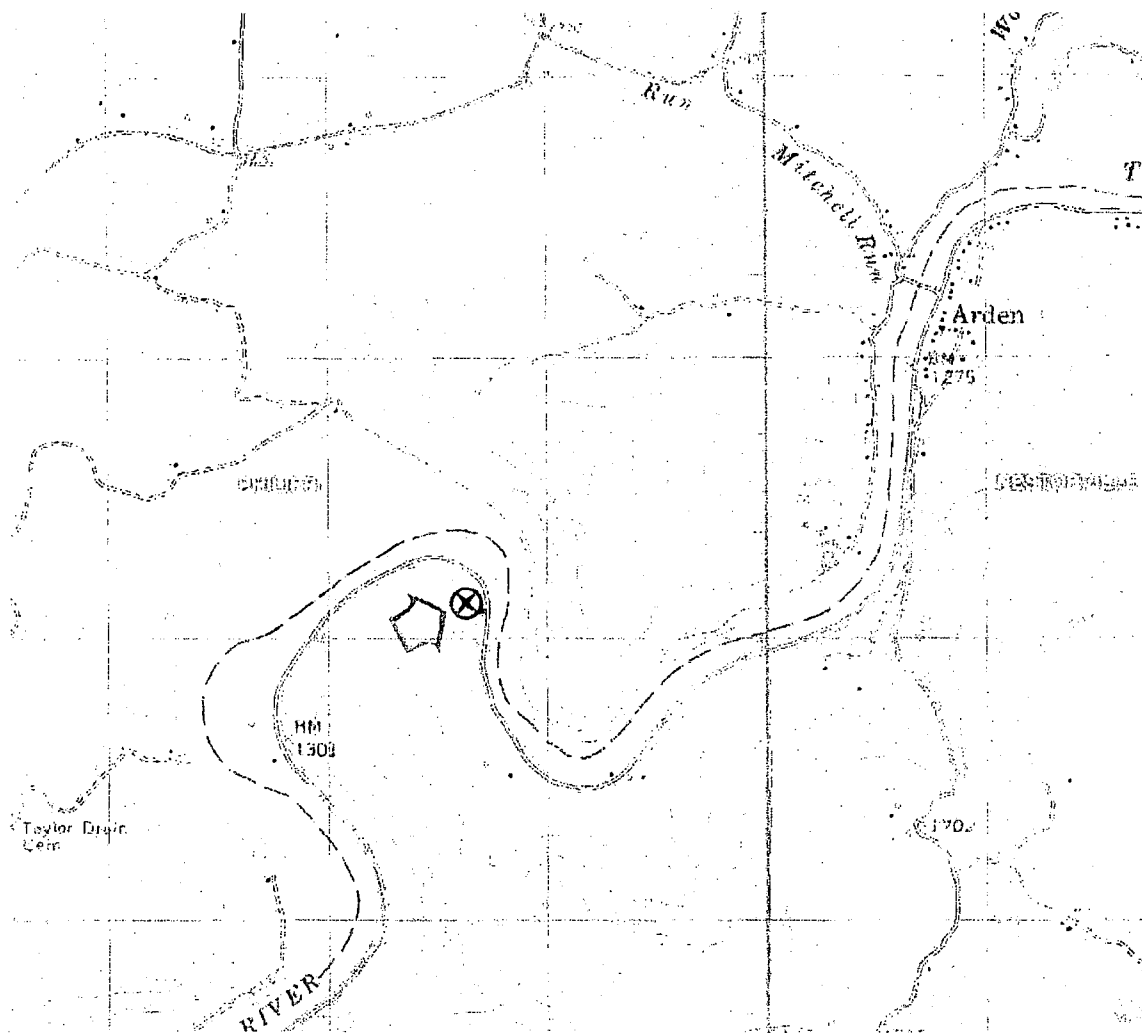
JANE LEW, WV 26378

WATERSHED: TYGART VALLEY RIVER

DISTRICT: PHILIPPI COUNTY: BARBOUR

QUADRANGLE: PHILIPPI WELL NO.: 33910

DATE: 04/18/09 PAGE of



DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

JANE LEW, WV 26378

WATERSHED: TYGART VALLEY RIVER

DISTRICT: PHILIPPI COUNTY: BARBOUR

QUADRANGLE: PHILIPPI WELL NO.: 33910

DATE: 04/18/09 PAGE of

LAND SURVEYING SERVICES  
21 CEDAR LANE  
BRIDGEPORT, WV 26330  
PHONE: 304-842-2018 OR 5762

Affidavit Of Personal Service

State Of West Virginia  
County Of Lewis

The undersigned, being first duly sworn, says that the undersigned served a true and complete copy of all sides of--

- (1) Notice on Form WW-2(A) X / WW-3(A)\_\_\_/ WW-4(A)\_\_\_/ WW-5(A)\_\_\_/ WW-6(A)\_\_\_
- (2) Application on Form WW-2(B) X / WW-3(B)\_\_\_/ WW-4(B)\_\_\_/ WW-5(B)\_\_\_/ WW-6(B)\_\_\_
- (3) Plat showing the well location on Form WW-6, and
- (4) Construction and Reclamation Plan on Form WW-9

--all with respect to operator's Well No. 33910 located in Phillippi  
District, Barbour County, West Virginia, upon the person or organization named--

Clare M. Abbott  
--by delivering the same in Barbour County, State of West Virginia  
on the 9<sup>th</sup> day of September, 2009 in the manner specified below.

[COMPLETE THE APPROPRIATE SECTION]

For an individual:

[ X ] Handing it to him X / her\_\_\_/ or, because he\_\_\_/ she\_\_\_/ refused to take it when offered it, by leaving it in his\_\_\_/ her\_\_\_/ presence.

[ ] Handing it to a member of his or her family above the age of 16 years named \_\_\_\_\_ who resides at the usual place of abode of the person to be served, and asking the family member to give it to the person to be served as soon as possible.

For a partnership:

[ ] Handing it to \_\_\_\_\_, a partner of the partnership or, because the partner refused to take it when I handed it over, by leaving it in the presence of the partner.

For a limited partnership:

[ ] Handing it to the general partner, named \_\_\_\_\_, or, because the general partner refused to take it when I tried to hand it over, by leaving it in the presence of the general partner.

For a corporation:

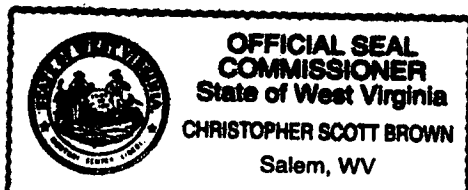
[ ] Handing it to the corporation's employee\_\_\_/ officer\_\_\_/ director\_\_\_/ attorney in fact\_\_\_/ named\_\_\_\_\_

[Signature]  
(signature of person executing service)

Taken, subscribed and sworn before me this 9<sup>th</sup> day of September, 2009.  
My commission expires January 14, 2009.

Christopher Scott Brown  
Commissioner

(AFFIX SEAL IF NOTARIZED OUTSIDE THE STATE)



Affidavit Of Personal Service

State Of West Virginia  
County Of Lewis

The undersigned, being first duly sworn, says that the undersigned served a true and complete copy of all sides of--

- (1) Notice on Form WW-2(A) X / WW-3(A)\_\_\_/ WW-4(A)\_\_\_/ WW-5(A)\_\_\_/ WW-6(A)\_\_\_
- (2) Application on Form WW-2(B) X / WW-3(B)\_\_\_/ WW-4(B)\_\_\_/ WW-5(B)\_\_\_/ WW-6(B)\_\_\_
- (3) Plat showing the well location on Form WW-6, and
- (4) Construction and Reclamation Plan on Form WW-9

--all with respect to operator's Well No. 33910 located in Phillip  
District, Barbour County, West Virginia, upon the person or organization named--

Anne J. Davis  
--by delivering the same in Barbour County, State of West Virginia  
on the 9<sup>th</sup> day of September, 2009 in the manner specified below.

[COMPLETE THE APPROPRIATE SECTION]

For an individual:

[ X ] Handing it to him PH / her X / or, because he\_\_\_/ she\_\_\_/ refused to take it when offered it, by leaving it in his\_\_\_/ her\_\_\_/ presence.

[ ] Handing it to a member of his or her family above the age of 16 years named \_\_\_\_\_ who resides at the usual place of abode of the person to be served, and asking the family member to give it to the person to be served as soon as possible.

For a partnership:

[ ] Handing it to \_\_\_\_\_, a partner of the partnership or, because the partner refused to take it when I handed it over, by leaving it in the presence of the partner.

For a limited partnership:

[ ] Handing it to the general partner, named \_\_\_\_\_, or, because the general partner refused to take it when I tried to hand it over, by leaving it in the presence of the general partner.

For a corporation:

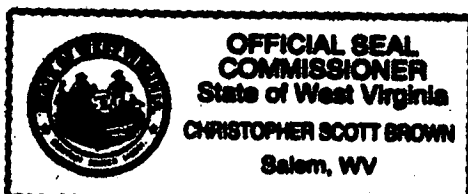
[ ] Handing it to the corporation's employee\_\_\_/ officer\_\_\_/ director\_\_\_/ attorney in fact\_\_\_/ named\_\_\_\_\_

[Signature]  
(Signature of person executing service)

Taken, subscribed and sworn before me this 9th day of September 2009.  
My commission expires January 14th 2019

Christopher Scott Brown  
Commissioner

(AFFIX SEAL IF NOTARIZED OUTSIDE THE STATE)



7008 1300 0000 2192 0665

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$	
<b>AMANDA</b>		
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		

Dotson H. Cather, Trustee  
 315 Spring Ave.  
 Clarksburg, WV 26301

**33910**

PS Form 3800, August 2002 See Reverse for Instructions

7008 1300 0000 2192 0658

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

**OFFICIAL USE**

Postage	\$	
<b>AMANDA</b>		
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		

Laura M. Goff Davis  
 C/o Michale Hoeft  
 Route 1 Box 605  
 Milton, WV 25541

**33910**

PS Form 3800, August 2002 See Reverse for Instructions

7008 1300 0000 2192 0641

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)

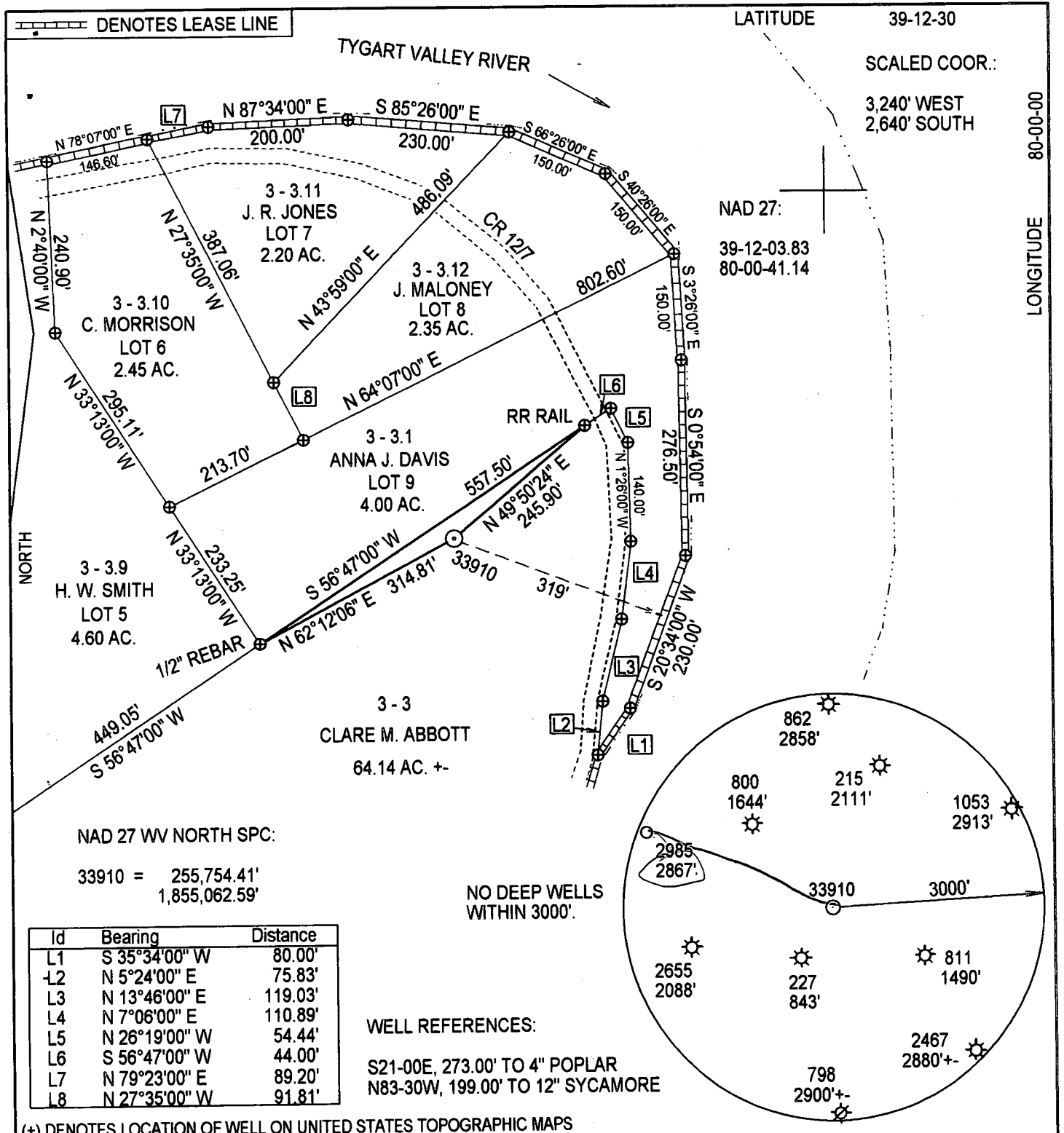
**OFFICIAL USE**

Postage	\$	
<b>AMANDA</b>		
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		

Pristine Resources, Inc.  
 4020 Kinross Lake Parkway  
 Richfield, OH 44286

**33910**

PS Form 3800, August 2002 See Reverse for Instructions

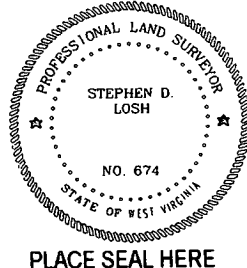


FILE NUMBER: \_\_\_\_\_  
DRAWING NUMBER: DEP33910R3.PCS  
SCALE: 1" = 200'  
MINIMUM DEGREE  
OF ACCURACY: SUBMETER  
PROVEN SOURCE  
OF ELEVATION: DGPS SURVEY  
SUBMETER SYSTEM

I THE UNDERSIGNED, HEREBY STATE THAT THIS PLAT IS CORRECT  
TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE  
INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND  
PRESCRIBED BY THE DEPARTMENT OF ENERGY.

(SIGNED) \_\_\_\_\_

STEPHEN D. LOSH, P.S. #674



PLACE SEAL HERE

STATE OF WEST VIRGINIA  
DIVISION OF ENVIRONMENTAL PROTECTION  
OFFICE OF OIL AND GAS  
#10 McJUNKIN ROAD  
NITRO, WV 25143-2508  
FORM WW-6

LAND SURVEYING SERVICES  
21 CEDAR LANE, BRIDGEPORT, WV 26330  
PHONE: 304-842-2018 OR 842-5762

DATE: AUGUST 31, 2009

OPERATORS WELL NO.: 33910

API WELL NO. 47-001

STATE BARBOUR COUNTY PERMIT

WELL TYPE: OIL    GAS    LIQUID INJECTION    WASTE DISPOSAL    CBM     
(IF "GAS") PRODUCTION    STORAGE    DEEP    SHALLOW   

LOCATION: ELEVATION 1308.01' WATERSHED TYGART VALLEY RIVER

DISTRICT PHILIPPI COUNTY BARBOUR

QUADRANGLE PHILIPPI LEASE NUMBER 070943

SURFACE OWNER CLARE M. ABBOTT ACREAGE 64.14 (3-3)

OIL & GAS ROYALTY OWNER CLINTON ROBINSON LEASE ACREAGE 218.00

PROPOSED WORK: DRILL    CONVERT    DRILL DEEPER    REDRILL    FRACTURE OR STIMULATE    PLUG OFF OLD FORMATION     
PERFORATE NEW FORMATION    OTHER PHYSICAL CHANGE (SPECIFY)   

TARGET FORMATION MARCELLUS PLUG & ABANDON    CLEAN OUT & REPLUG     
ESTIMATED DEPTH 7430'

WELL OPERATOR DOMINION EXPLORATION & PRODUCTION, INC. DESIGNATED AGENT RODNEY BIGGS

ADDRESS P. O. BOX 1248 JANE LEW, WV 26378 ADDRESS P. O. BOX 1248 JANE LEW, WV 26378

COUNTY NAME  
PERMIT



WW2-A  
Revised 4/99

1) Date: August 31, 2009  
2) Operator's Well Number 33914  
3) API Well No.: 47 - 001 -       
State County Permit

**STATE OF WEST VIRGINIA - BUREAU OF ENVIRONMENT  
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
NOTICE AND APPLICATION FOR A WELL WORK PERMIT**

4) Surface Owner(s) to be served:

(a) Name Gary McCauley  
Address RR 3 Box 19A  
Philippi, WV 26416

(b) Name                       
Address                       
                    

(c) Name                       
Address                       
                    

6) Inspector Bryan Harris  
Address P.O. Box 157  
Volga, WV 26238  
Telephone 304-553-6087

5) (a) Coal Operator

Name                       
Address                       
                    

(b) Coal Owner(s) with Declaration  
Name CoalQuest Development, LLC.  
Address 300 Corporate Center Drive  
Scott Depot, WV 25560

Name                       
Address                       
                    

(c) Coal Lessee with Declaration  
Name                       
Address                       
                    

**TO THE PERSONS NAMED ABOVE TAKE NOTICE THAT:**

Included is the lease or leases or other continuing contract or contracts by which I hold the right to extract oil and gas

OR

X Included is the information required by Chapter 22, Article 6, Section 8(d) of the Code of West Virginia (see page 2)

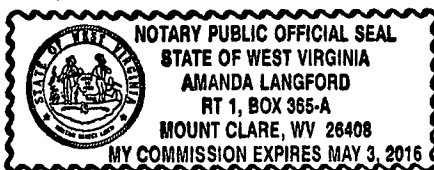
I certify that as required under Chapter 22-6 of the West Virginia Code I have served copies of this notice and application, a location plat, and accompanying documents pages 1 through      on the above named parties by:

- Personal Service (Affidavit attached)  
X      Certified Mail (Postmarked postal receipt attached)  
          Publication (Notice of Publication attached)

I have read and understand Chapter 22-6 and 35 CSR 4, and I agree to the terms and conditions of any permit issued under this application.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.



Well Operator Dominion Exploration & Production, Inc.  
By: Rodney J. Biggs  
Its: Designated Agent-Vice President - Operations  
Address P.O. Box 1248  
Jane Lew, WV 26378  
Telephone 304-884-2027 (Please contact Landman - Jeff Hosaflook)

Subscribed and sworn before me this 8th day of September, 2009

Amanda Langford Notary Public  
My Commission Expires May 3, 2016

## RGGS Land & Minerals, LTD., L.P.

751 McClellandtown Road, Suite B

Uniontown, PA 15401

---

September 4, 2009

Mr. Jeffery T. Hosaflook, Landman  
Dominion Exploration & Production, Inc.  
P.O. Box 1248  
Jane Lew, WV 26378

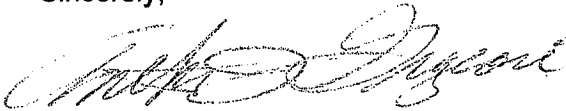
RE: Location Approval of Well Number 33914; Barbour County, WV

Dear Mr. Hosaflook:

In response to your telephone request and pursuant to Section 6, Paragraph 3 of the Lease Agreement between United States Steel Corporation (Now, RGGS Land & Minerals, Ltd., L.P.) and Consolidated Gas Supply Corporation (Now, Dominion Exploration & Production, Inc.) dated October 12, 1967, RGGS hereby approves the location of Well Number 33914 as shown on the attached survey plat provided that RGGS ownership comprises 100% of the unit for the subject well.

If you should have any questions, please contact me at 724-439-1116.

Sincerely,



Anthony J. Graziani  
Land Manager

Enclosure - Plat

AJG/mlm

## SURFACE OWNER WAIVER

County: BARBOUR

Operator's Well Number  
Operator

**33914**

Dominion Exploration & Production,  
Inc.

### INSTRUCTIONS TO SURFACE OWNERS NAMED ON PAGE WW2-A

The well operator named on page WW2A is applying for a permit from the State to do oil or gas well work. (Note: If the surface tract is owned by more than three persons, then these materials were served on you because your name appeared on the Sheriff's tax ticket on the land or because you actually occupy the surface tract. In either case, you may be the only owner who will actually receive these materials.) See Chapter 22 of the West Virginia Code. Well work permits are valid for 24 months. If you do not own any interest in the surface tract, please forward these materials to the true owner immediately if you know who it is. Also, please notify the well operator and the Office of Oil and Gas.

**NOTE: YOU ARE NOT REQUIRED TO FILE ANY COMMENT.**

### WHERE TO FILE COMMENTS AND OBTAIN ADDITIONAL INFORMATION:

Chief, Office of Oil and Gas  
Department of Environmental Protection  
601 57<sup>th</sup> St. SE  
Charleston, WV 25304  
(304) 926-0450

Or District Oil & Gas Inspector  
(name and address on WW2-A)

**Time Limits and methods for filing comments.** The law requires these materials to be served on or before the date the operator files his Application. You have **FIFTEEN (15) DAYS** after the filing date to file your comments. Comments must be filed in person or received in the mail by the Chief's office by the time stated above. You may call the Chief's office to be sure of the date. Check with your postmaster to ensure adequate delivery time or to arrange special expedited handling. If you have been contacted by the well operator and you have signed a "voluntary statement of no objection" to the planned work described in these materials, then the permit may be issued at any time.

**Comments must be in writing.** Your comments must include your name, address and telephone number, the well operator's name and well number and the approximate location of the proposed well site including district and county from the application. You may add other documents, such as sketches, maps or photographs to support your comments.

The Chief has the power to deny or condition a well work permit based on comments on the following grounds:

- 1) The proposed well work will constitute a hazard to the safety of persons.
- 2) The soil erosion and sediment control plan is not adequate or effective;
- 3) Damage would occur to publicly owned lands or resources;
- 4) The proposed well work fails to protect fresh water sources or supplies;
- 5) The applicant has committed a substantial violation of a previous permit or a substantial violation of one or more of the rules promulgated under Chapter 22, and has failed to abate or seek review of the violation..."

If you want a copy of the permit as it is issued or a copy of the order denying the permit, you should request a copy from the Chief.

**List of Water Testing Laboratories.** The Office maintains a list of water testing laboratories which you can hire to test your water to establish water quality prior to and after drilling. Contact the Chief to obtain a copy.

### VOLUNTARY STATEMENT OF NO OBJECTION

I hereby state that I have read the instructions to surface owners and that I have received copies of a Notice and Application for a Well Work Permit on Form WW2-A, and attachments consisting of pages 1 through \_\_\_\_ including a work order on Form WW2-B, a survey plat, and a soil and erosion plan, all for proposed well work on my surface land as described therein.

I further state that I have no objection to the planned work described in these materials, and I have no objection to a permit being issued on those materials.

FOR EXECUTION BY A NATURAL PERSON

FOR EXECUTION BY A CORPORATION, ETC.

Gary McCamley  
Signature

Date

9-3-09

Name  
By  
Its

Date

Signature

Date

## COAL OPERATOR, OWNER, OR LESSEE WAIVER

County: BARBOUR

Operator's Well Number

33914

Operator: Dominion Exploration & Production, Inc.

### INSTRUCTIONS TO COAL OPERATOR, OWNER, OR LESSEE

To the coal operator, owner, or lessee named on page WW2-A. You are hereby notified that any objection you wish to make or are required to make by Code 22-6-15, 16 or 17, must be filed with the Chief of the Office of Oil and Gas within fifteen (15) days after the receipt of this application by the Office.

### WAIVER

The undersigned coal operator \_\_\_\_\_ / owner ☒ / lessee \_\_\_\_\_ / of the coal under this well location has examined this proposed well location. If a mine map exists which covers the area of well location, the well location has been added to the mine map. The undersigned has no objection to the work proposed to be done at this location, provided, the well operator has complied with all applicable requirements of the West Virginia Code and the governing regulations.

Date: \_\_\_\_\_

COALQUEST Development LLC  
By: JOE ANDREWS, SENIOR Geologist  
Its FOR Hunter Ridge Coal Co.

Joe Andrews  
9/2/09

INFORMATION SUPPLIED UNDER WEST VIRGINIA CODE  
Chapter 22, Article 6, Section 8(d)  
IN LIEU OF FILING LEASE(S) AND OTHER CONTINUING CONTRACT(S)

Under the oath required to make the verification on page 1 of this Notice and Application, I depose and say that I am the person who signed the Notice and Application for the Applicant, and that –

- (1) the tract of land is the same tract described in this Application, partly or wholly depicted in the accompanying plat, and described in the Construction and Reclamation Plan;
- (2) the parties and recordation data (if recorded) for lease(s) or other continuing contract(s) by which the Applicant claims the right to extract, produce or market the oil or gas are as follows:

Grantor, lessor, etc.	Grantee, lessee, etc.	Royalty	Book/Page
United States Steel Corp.	Consolidated Gas Supply	1/8	62/487

Well Operator: Dominion Exploration & Production, Inc.  
By: Rodney J. Biggs  
Its: Designated Agent-Vice President - Operations

*1.14*  
*MEJ*

West Virginia Division of Environmental Protection  
Office of Oil and Gas

## NOTICE TO SURFACE OWNERS

The well operator named below is preparing to file for a permit from the state to drill a new well. Before a well work permit can be filed with the Chief of the Office of Oil and Gas, the well operator is required to have given notice of the right to request water well or spring analytical testing. This notice shall be given to the owners or occupants of land which have a water well or spring being utilized for human consumption, domestic animals, or other general use and which is located within 1000 feet of the proposed well site.

With this form, the operator is giving you notice of your right to request analytical testing. The operator is required to sample and analyze the water wells or springs of all owners or occupants who request it. Therefore, if you wish to have your water well or spring tested, contact the operator named below.

All sampling shall be completed prior to drilling. Within thirty (30) days of the receipt of such sample analyses the operator shall submit the results to the Chief of the Office of Oil and Gas and to the owners or occupants who may have requested them.

If no water well or spring is located within 1000 feet, the Chief may require the operator to sample and analyze water from a water well or spring within 2000 feet of the proposed well site.

Be advised, you have the right to sample and analyze any water supply at your own expense.

The laboratory used by the operator to analyze the samples will be approved by the Chief. The operator named below has decided to use the following laboratory to analyze the water samples:

<u>  X  </u>	Contractor Name	<u>Reliance Laboratories, Inc., (304) 842-5285</u>
<u>      </u>	Well operator's private laboratory	<u>P.O. Box 4657, Bridgeport, WV 26330-4657</u>
	Well Operator	<u>Dominion Exploration &amp; Production, Inc.</u>
	Address	<u>P.O. 1248</u>
		<u>Jane Lew, WV 26378</u>
	Telephone	<u>304-884-2000</u>

FOR OPERATOR'S USE ONLY: Below, or on an attached page, list those persons which were given this notice. Place an asterisk beside the one(s) that contacted you and requested sampling and analyses. If there were no requests made, indicate by underling which one you have selected to sample and analyze. If there are no water wells or springs within 1000 feet of the proposed site please indicate such.

Gary McCauley                      RR3 Box 195 A                      Philippi, WV 26416

DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
CONSTRUCTION AND RECLAMATION PLAN AND SITE REGISTRATION APPLICATION FORM  
GENERAL PERMIT FOR OIL AND GAS PIT WASTE DISCHARGE

API NUMBER 47- 001 - \_\_\_\_\_

Operator's Well No. 33914

Operator Name DOMINION EXPLORATION & PRODUCTION, INC. OP ID \_\_\_\_\_

Watershed TYGART VALLEY RIVER Quadrangle PHILIPPI

Elevation 1295.93' County BARBOUR District PLEASANT

Description of anticipated Pit Waste: FLUIDS ASSOCIATED WITH THE DRILLING OF NEW GAS WELLS

Will a synthetic line be used in the pit? YES

Proposed Disposal Method For Treated Pit Wastes:

- ☒ Land Application ✓  
☐ Underground Injection (UIC Permit Number \_\_\_\_\_)  
☐ Reuse (at API Number \_\_\_\_\_)  
☐ Off Site Disposal (Supply for WW-9 for disposal location)  
☐ Other (Explain) \_\_\_\_\_

Proposed Work For Which Pit Will Be Used:

- ☒ Drilling ☐ Swabbing  
☐ Workover ☐ Plugging  
☐ Other (Explain) \_\_\_\_\_

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on June 14, 1994, by the Office of Oil and Gas of the West Virginia Division of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or other applicable law or regulation can lead to enforcement action.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

Company Official Signature RODNEY J. BIGGS

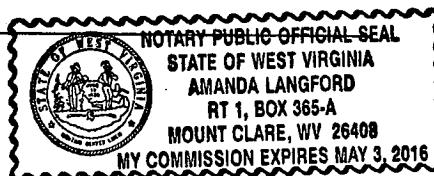
Company Official (Typed Name) RODNEY J. BIGGS

Company Official Title VICE PRESIDENT OF OPERATIONS

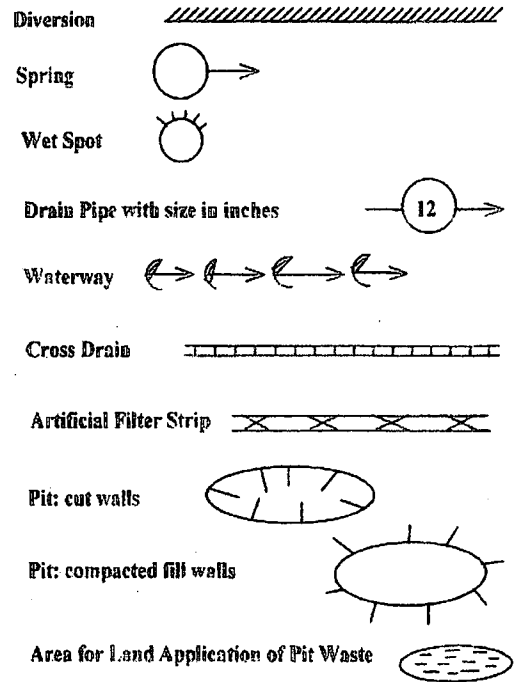
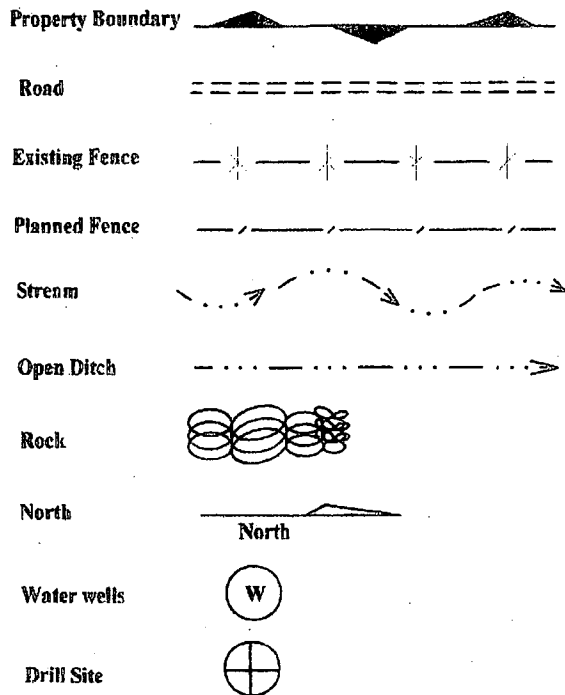
Subscribed and sworn before me this 18<sup>th</sup> day of September, 2009

Notary Public

My commission expires May 3, 2016



# LEGEND



Proposed Revegetation Treatment: Acres Disturbed 2.50 Prevegetation pH \_\_\_\_\_

Lime according to pH test Tons/acre or correct to pH 6.5

Fertilizer (10-20-20 or equivalent) 500 lbs/acre (500 lbs minimum)

Mulch HAY OR STRAW 2 Tons/acre

## Seed Mixtures

Area I		Area II	
Seed Type	lbs/acre	Seed Type	lbs/acre
ORCHARDGRASS	25	ORCHARDGRASS	25
BIRDSFOOT TREFOIL	15	BIRDSFOOT TREFOIL	15
LADINO CLOVER	10	LADINO CLOVER	10

## Attach:

Drawing(s) of road, location, pit and proposed area for land application.

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: Bryan O'Hara

Title: \_\_\_\_\_ Date: 9-1-9

Field Reviewed? ( \_\_\_\_\_ ) Yes ( \_\_\_\_\_ ) No



**STATE OF WEST VIRGINIA**  
**DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**  
**WELL WORK PERMIT APPLICATION**

1) Well Operator Dominion Exploration & Production, Inc. Operator ID Barbour Pleasant Philippi  
County District Quadrangle

2) Operators Well Number: 33914 3) Elevation: 1295.93'

4) Well Type: (a) Oil \_\_\_\_\_ or Gas X \_\_\_\_\_  
 (b) If Gas: Production X / Underground Storage \_\_\_\_\_  
 Deep X / Shallow \_\_\_\_\_

5) Proposed Target Formation(s): Marcellus

6) Proposed Total Depth: 7380' Feet

7) Approximate fresh water strata depths: 40', 95', 285'

8) Approximate salt water depths: 1335'

9) Approximate coal seam depths: 35'

10) Does land contain coal seams tributary to active mine? No

11) Describe proposed well work Drill new well and complete Marcellus Shale, uphole zones will be  
completed at a later date. Well will be drilled to the Marcellus Shale + 80' to TD in the  
Huntersville Chert for logging and rathole purposes.

12) **CASING AND TUBING PROGRAM**

TYPE	SPECIFICATIONS			FOOTAGE INTERVALS		CEMENT
	Size	Grade	Weight per ft	For Drilling	Left in Well	Fill -up (Cu. Ft.)
Conductor	16"	LS	42	40'	40'	Sand In
Fresh Water	11 3/4"	LS	37	350'	350'	CTS
Coal						
Intermediate	8 5/8"	LS	23	1500'	1500'	CTS
Production	4 1/2"	P-110	11.6	7380'	7380'	200 cu ft
Tubing						
Liners						

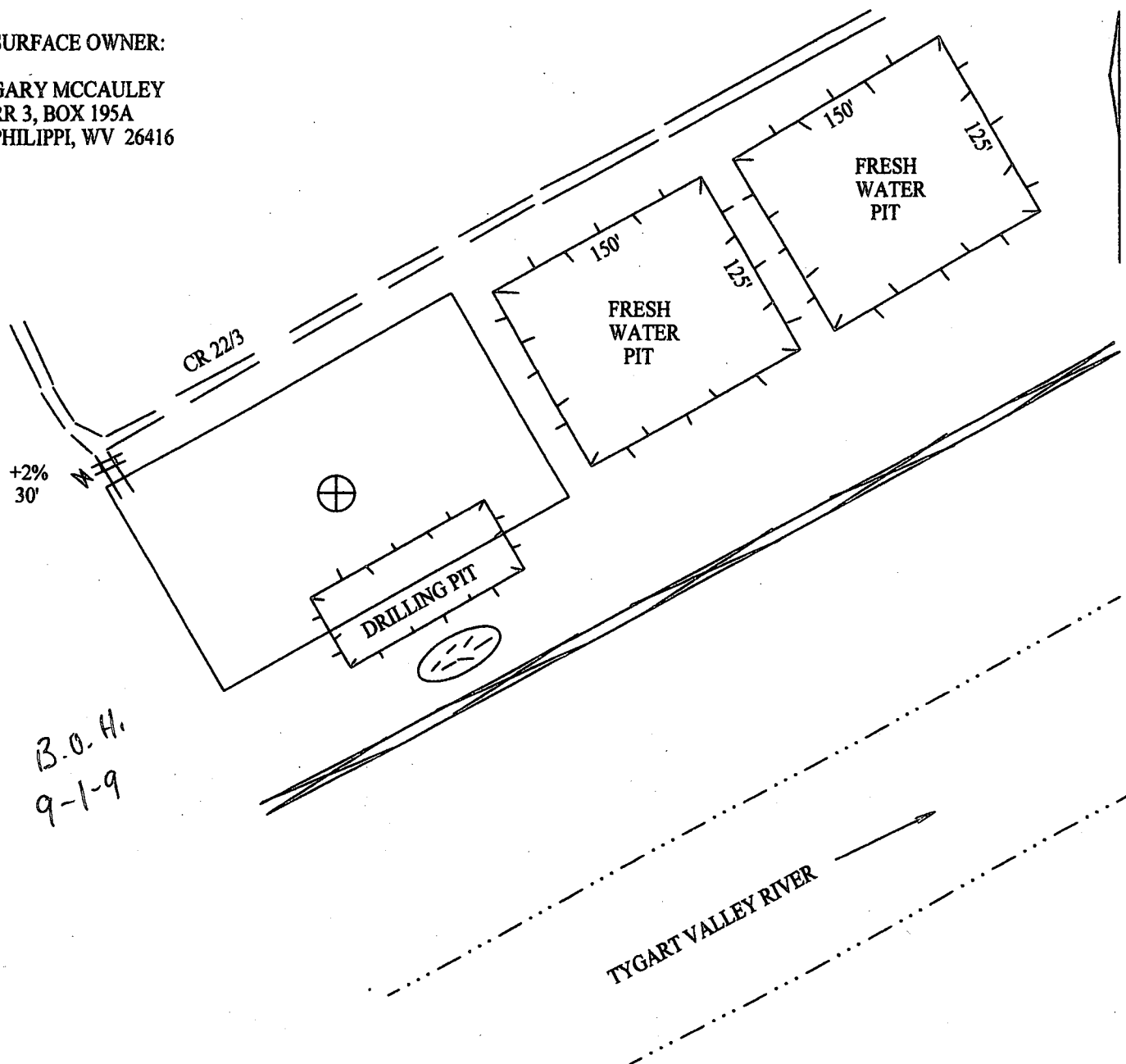
Packers: Kind  
 Sizes  
 Depths Set

B.O.H.  
 9-1-9

ME

**SURFACE OWNER:**

**GARY MCCAULEY  
RR 3, BOX 195A  
PHILIPPI, WV 26416**



LOCATION IS IN A FIELD. USABLE TIMBER  
WILL BE CUT AND STACKED. TOPSOIL WILL  
BE STOCKPILED FOR USE IN REVEGETATION.

ACCESS ROAD LEAVES CR 22/3 AND GOES  
ALMOST IMMEDIATELY ONTO THE WELL  
PAD. ROCK WILL BE USED WHERE NECESSARY.

**LAND SURVEYING SERVICES  
21 CEDAR LANE  
BRIDGEPORT, WV 26330  
PHONE: 304-842-2018 OR 5762**

**DRAWINGS TO ACCOMPANY FORM WW-9**

**DOMINION EXPLORATION & PRODUCTION, INC.**

**P. O. BOX 1248**

**JANE LEW, WV 26378**

**WATERSHED: TYGART VALLEY RIVER**

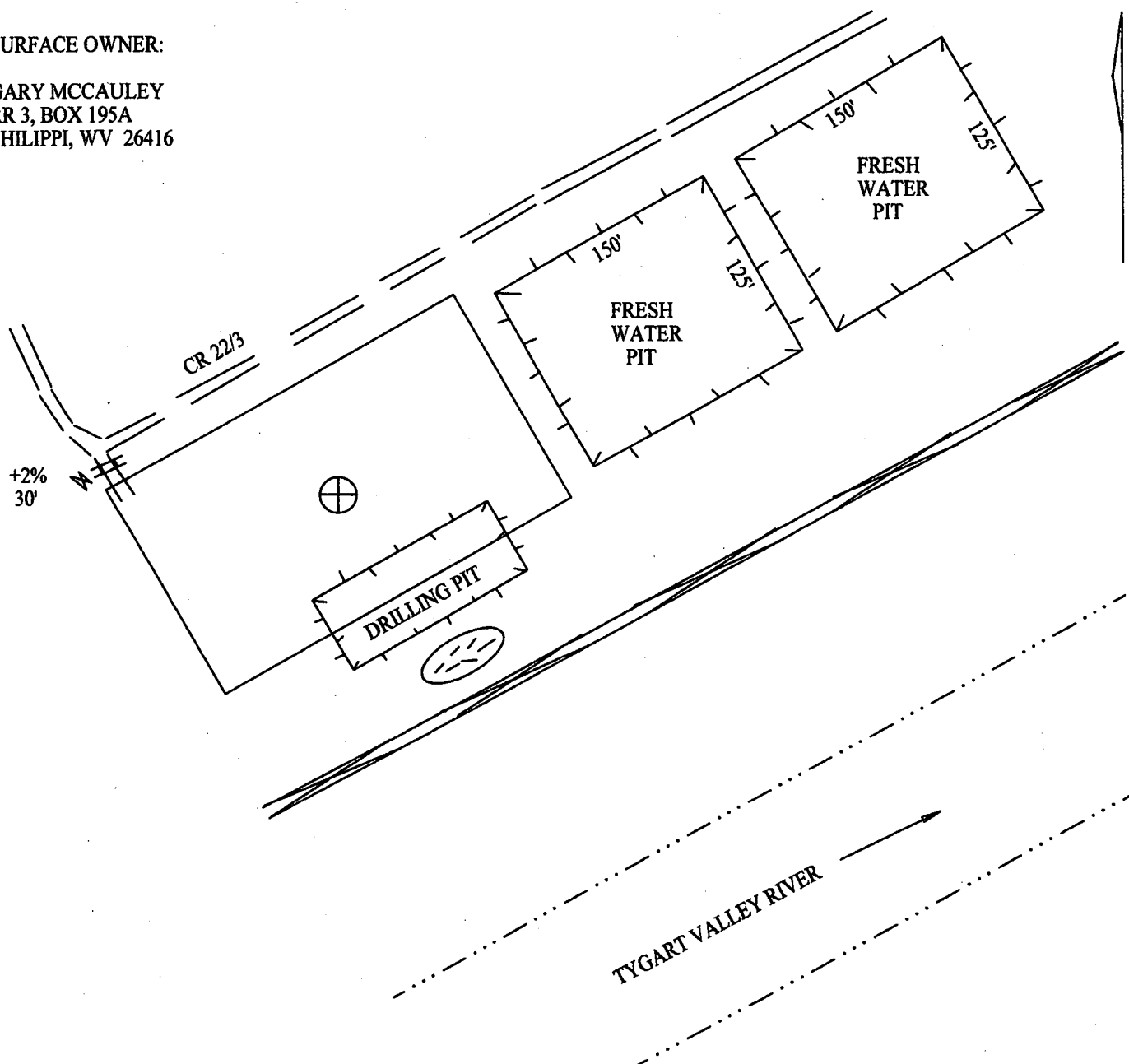
**DISTRICT: PLEASANT COUNTY: BARBOUR**

**QUADRANGLE: PHILIPPI WELL NO.: 33914**

**DATE: 04/18/09**

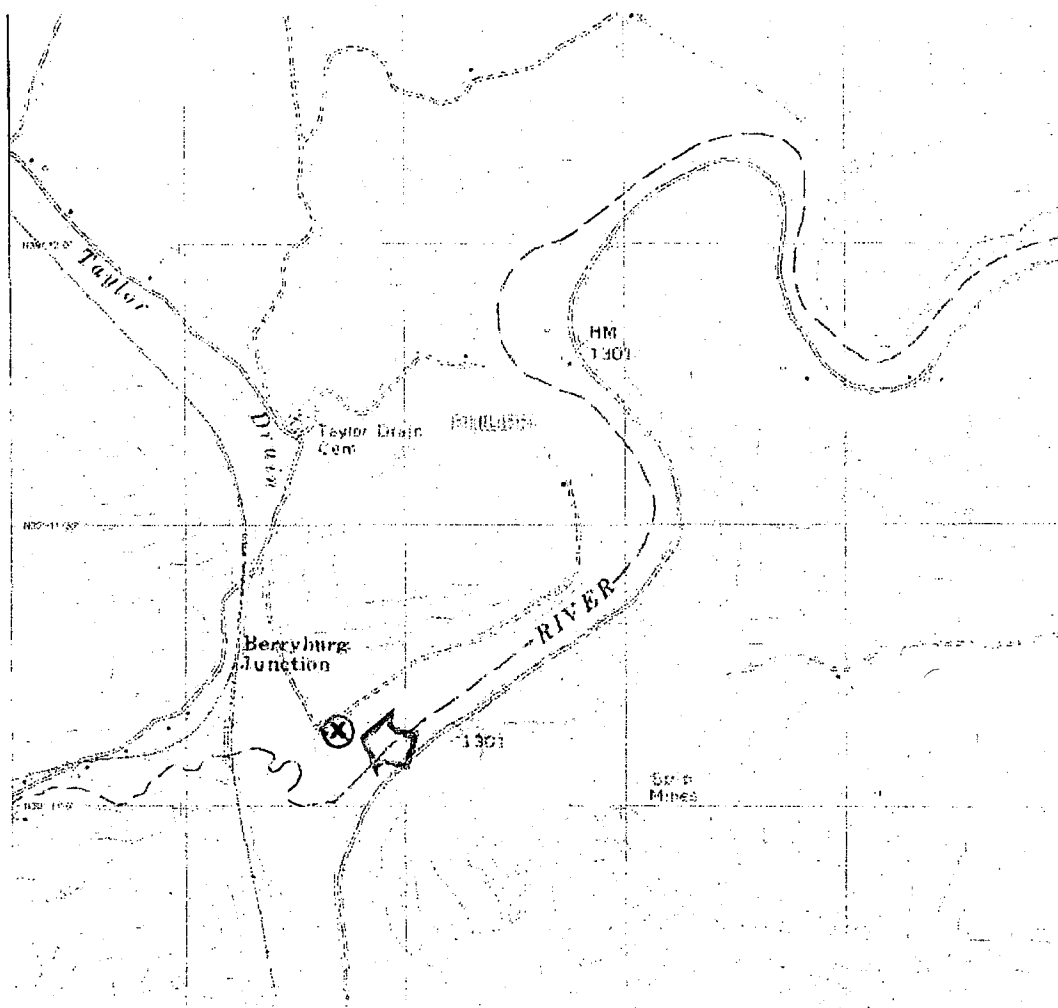
**PAGE \_\_\_\_ of \_\_\_\_**

GARY MCCAULEY  
RR 3, BOX 195A  
PHILIPPI, WV 26416



ACCESS ROAD LEAVES CR 22/3 AND GOES  
ALMOST IMMEDIATELY ONTO THE WELL  
PAD. ROCK WILL BE USED WHERE NECESSARY.

DATE: 04/18/09 PAGE        of



DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

JANE LEW, WV 26378

WATERSHED: TYGART VALLEY RIVER

DISTRICT: PLEASANT COUNTY: BARBOUR

QUADRANGLE: PHILIPPI WELL NO.: 33914

DATE: 04/18/09 PAGE \_\_\_\_ of \_\_\_\_

LAND SURVEYING SERVICES  
21 CEDAR LANE  
BRIDGEPORT, WV 26330  
PHONE: 304-842-2018 OR 5762

Affidavit Of Personal Service

State Of West Virginia  
County Of Lewis

The undersigned, being first duly sworn, says that the undersigned served a true and complete copy of all sides of--

- (1) Notice on Form WW-2(A) X / WW-3(A)\_\_\_/ WW-4(A)\_\_\_/ WW-5(A)\_\_\_/ WW-6(A)\_\_\_
- (2) Application on Form WW-2(B) X / WW-3(B)\_\_\_/ WW-4(B)\_\_\_/ WW-5(B)\_\_\_/ WW-6(B)\_\_\_
- (3) Plat showing the well location on Form WW-6, and
- (4) Construction and Reclamation Plan on Form WW-9

--all with respect to operator's Well No. 33914 located in Pleasant  
District, Barbour County, West Virginia, upon the person or organization named--

Coal Quest Development, Inc (Joe Andrews)  
--by delivering the same in Monongalia County, State of West Virginia  
on the 2nd day of September, 2009 in the manner specified below.

[COMPLETE THE APPROPRIATE SECTION]

For an individual:

[ X ] Handing it to him X / her\_\_\_/ or, because he\_\_\_/ she\_\_\_/ refused to take it when offered it, by leaving it in his\_\_\_/ her\_\_\_/ presence.

[ ] Handing it to a member of his or her family above the age of 16 years named \_\_\_\_\_ who resides at the usual place of abode of the person to be served, and asking the family member to give it to the person to be served as soon as possible.

For a partnership:

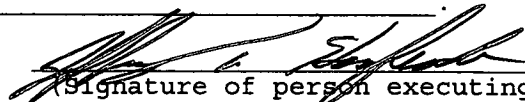
[ ] Handing it to \_\_\_\_\_, a partner of the partnership or, because the partner refused to take it when I handed it over, by leaving it in the presence of the partner.

For a limited partnership:

[ ] Handing it to the general partner, named \_\_\_\_\_, or, because the general partner refused to take it when I tried to hand it over, by leaving it in the presence of the general partner.

For a corporation:

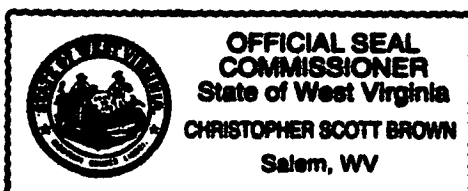
[ ] Handing it to the corporation's employee\_\_\_/ officer\_\_\_/ director\_\_\_/ attorney in fact\_\_\_/ named\_\_\_\_\_

  
(Signature of person executing service)

Taken, subscribed and sworn before me this 2nd day of September 2009.  
My commission expires January 14, 2019.

  
Commissioner

(AFFIX SEAL IF NOTARIZED OUTSIDE THE STATE)



Affidavit Of Personal Service

State Of West Virginia  
County Of Lewis

The undersigned, being first duly sworn, says that the undersigned served a true and complete copy of all sides of--

- (1) Notice on Form WW-2(A) X / WW-3(A) \_\_\_ / WW-4(A) \_\_\_ / WW-5(A) \_\_\_ / WW-6(A) \_\_\_
- (2) Application on Form WW-2(B) X / WW-3(B) \_\_\_ / WW-4(B) \_\_\_ / WW-5(B) \_\_\_ / WW-6(B) \_\_\_
- (3) Plat showing the well location on Form WW-6, and
- (4) Construction and Reclamation Plan on Form WW-9

--all with respect to operator's Well No. 33914 located in Pleasant  
District, Barbour County, West Virginia, upon the person or organization named--

Gary McCauley  
--by delivering the same in Barbour County, State of West Virginia  
on the 3<sup>rd</sup> day of September, 2009 in the manner specified below.

[COMPLETE THE APPROPRIATE SECTION]

For an individual:

[ X ] Handing it to him X / her \_\_\_ / or, because he \_\_\_ / she \_\_\_ / refused to take it when offered it, by leaving it in his \_\_\_ / her \_\_\_ / presence.

[ ] Handing it to a member of his or her family above the age of 16 years named \_\_\_\_\_ who resides at the usual place of abode of the person to be served, and asking the family member to give it to the person to be served as soon as possible.

For a partnership:

[ ] Handing it to \_\_\_\_\_, a partner of the partnership or, because the partner refused to take it when I handed it over, by leaving it in the presence of the partner.

For a limited partnership:

[ ] Handing it to the general partner, named \_\_\_\_\_, or, because the general partner refused to take it when I tried to hand it over, by leaving it in the presence of the general partner.

For a corporation:

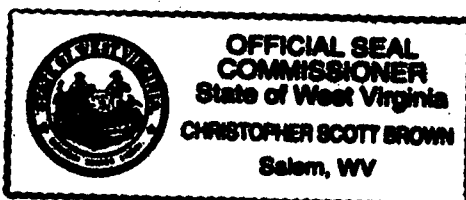
[ ] Handing it to the corporation's employee \_\_\_ / officer \_\_\_ / director \_\_\_ / attorney in fact \_\_\_ / named \_\_\_\_\_

[Signature]  
(signature of person executing service)

Taken, subscribed and sworn before me this 8th day of September 2009.  
My commission expires January 14th 2019.

Christopher Scott Brown  
Commissioner

(AFFIX SEAL IF NOTARIZED OUTSIDE THE STATE)

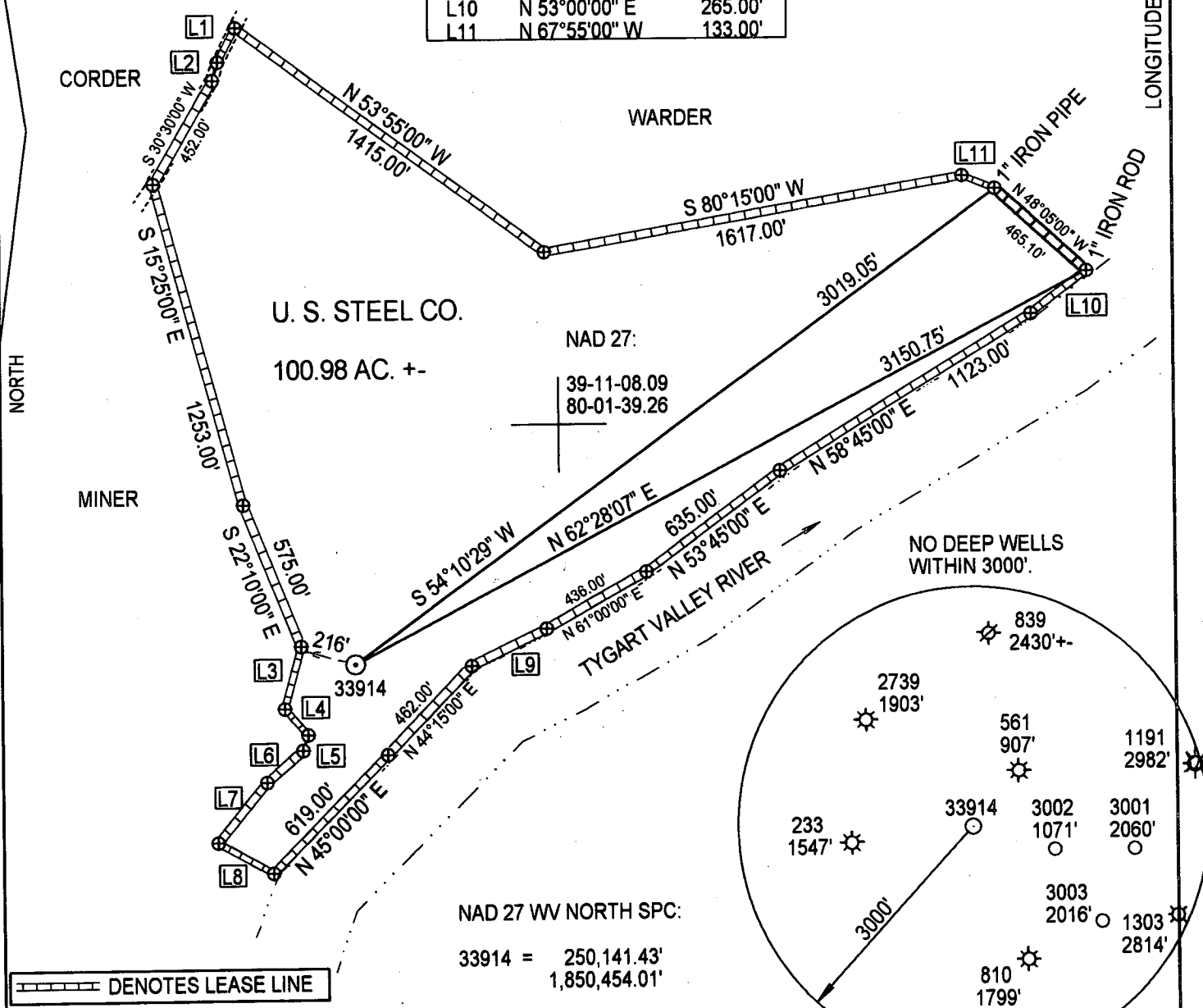


S50-00W, 179.50' TO 6" SYCAMORE  
N62-00W, 135.50' TO 13" CHERRY

Id	Bearing	Distance
L1	S 28°00'00" W	145.00'
L2	S 16°30'00" W	70.00'
L3	S 15°35'00" W	244.00'
L4	S 42°30'00" E	132.00'
L5	S 19°45'00" W	61.00'
L6	S 49°15'00" W	182.00'
L7	S 40°00'00" W	293.00'
L8	S 61°15'00" E	240.00'
L9	N 64°30'00" E	317.00'
L10	N 53°00'00" E	265.00'
L11	N 67°55'00" W	133.00'

SCALED COOR.:

7,820' WEST  
8,290' SOUTH

 DENOTES LEASE LINE

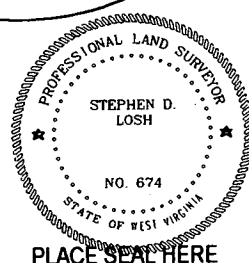
(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS

FILE NUMBER: \_\_\_\_\_  
DRAWING NUMBER: DEP33914R2.PCS  
SCALE: 1" = 600'  
MINIMUM DEGREE  
OF ACCURACY: SUBMETER  
PROVEN SOURCE  
OF ELEVATION: DGPS SURVEY  
SUBMETER SYSTEM

I THE UNDERSIGNED, HEREBY STATE THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND PRESCRIBED BY THE DEPARTMENT OF ENERGY.

(SIGNED)

STEPHEN D. LOSH, P.S. #674



PLACE SEAL HERE

STATE OF WEST VIRGINIA  
DIVISION OF ENVIRONMENTAL PROTECTION  
OFFICE OF OIL AND GAS  
#10 McJUNKIN ROAD  
NITRO, WV 25143-2506

FORM WW-6

**LAND SURVEYING SERVICES**  
**21 CEDAR LANE, BRIDGEPORT, WV 26330**  
**PHONE: 304-842-2018 OR 842-5762**

DATE: AUGUST 31, 2009

OPERATORS WELL NO.: 33914

API WELL NO.

47 — 001 —

STATE COUNTY PERMIT

WELL TYPE: OIL ☐ GAS ☒ LIQUID INJECTION ☐ WASTE DISPOSAL ☐ CBM ☐  
(IF "GAS") PRODUCTION ☒ STORAGE ☐ DEEP ☒ SHALLOW ☐

LOCATION: ELEVATION 1295.93' WATERSHED TYGART VALLEY RIVER

LOCATION: ELEVATION 1200.00 WATERSHED \_\_\_\_\_  
DISTRICT \_\_\_\_\_ PLEASANT \_\_\_\_\_ COUNTY \_\_\_\_\_ BARBOUR

QUADRANGLE PHILIPPI LEASE NUMBER 077232

SURFACE OWNER GARY MCCAULEY ACREAGE 106.00 (19-12)

OIL & GAS ROYALTY OWNER U. S. STEEL CO. LEASE ACREAGE 100.98

PROPOSED WORK: DRILL X CONVERT    DRILL DEEPER    REDRILL    FRACTURE OR STIMULATE    PLUG OFF OLD FORMATION     
PERFORATE NEW FORMATION    OTHER PHYSICAL CHANGE (SPECIFY)   

TARGET FORMATION MARCELLUS PLUG & ABANDON CLEAN OUT & REPLUG  
ESTIMATED DEPTH 7380'

WELL OPERATOR DOMINION EXPLORATION & PRODUCTION, INC. DESIGNATED AGENT RODNEY BIGGS

WELL OPERATOR \_\_\_\_\_  
ADDRESS P. O. BOX 1248 JANE LEW, WV 26378 ADDRESS P. O. BOX 1248 JANE LEW, WV 26378

COUNTY NAME

PERMIT

1) Date: August 31, 2009  
2) Operator's Well Number 34634

3) API Well No.: 47 - 001 -             
State County Permit

**STATE OF WEST VIRGINIA - BUREAU OF ENVIRONMENT  
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
NOTICE AND APPLICATION FOR A WELL WORK PERMIT**

4) Surface Owner(s) to be served:	
(a) Name	Mary Morris Warder
Address	303 Shoreline
	Gainsville, TX 76240
(b) Name	Oran Lee Warden
Address	1820 Kessler Prky
	Dallas TX, 75208
(c) Name	
Address	
6) Inspector	Bryan Harris
Address	P.O. Box 157
	Volga, WV 26238
Telephone	304-553-6087

5) (a) Coal Operator

Name \_\_\_\_\_

Address \_\_\_\_\_

(b) Coal Owner(s) with Declaration

Name CoalQuest Development, LLC. \_\_\_\_\_

Address 300 Corporate Center Drive \_\_\_\_\_

Scott Depot, WV 25560 \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

(c) Coal Lessee with Declaration

Name \_\_\_\_\_

Address \_\_\_\_\_

**TO THE PERSONS NAMED ABOVE TAKE NOTICE THAT:**

Included is the lease or leases or other continuing contract or contracts by which I hold the right to extract oil and gas

OR

**X** Included is the information required by Chapter 22, Article 6, Section 8(d) of the Code of West Virginia (see page 2)

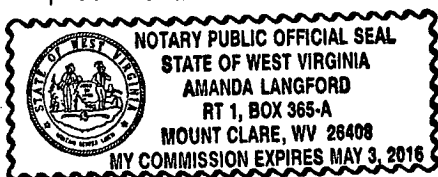
I certify that as required under Chapter 22-6 of the West Virginia Code I have served copies of this notice and application, a location plat, and accompanying documents pages 1 through \_\_\_\_\_ on the above named parties by:

       Personal Service (Affidavit attached)  
  X   Certified Mail (Postmarked postal receipt attached)  
      Publication (Notice of Publication attached)

I have read and understand Chapter 22-6 and 35 CSR 4, and I agree to the terms and conditions of any permit issued under this application.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.



Well Operator Dominion Exploration & Production, Inc. 1.1  
By: Rodney J. Biggs  
Its: Designated Agent-Vice President - Operations  
Address P.O. Box 1248  
Jane Lew, WV 26378  
Telephone 304-884-2027 (Please contact Landman - Jeff Hosaflook) (1.12)

Subscribed and sworn before me this 10th day of September, 2009  
Amanda J. Gledhill Notary Public  
 My Commission Expires May 3, 2016



## COAL OPERATOR, OWNER, OR LESSEE WAIVER

County: **BARBOUR**

Operator's Well Number 34634

Operator: **Dominion Exploration & Production, Inc.**

### INSTRUCTIONS TO COAL OPERATOR, OWNER, OR LESSEE

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### WAIVER

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Date: \_\_\_\_\_

COALQUEST Development LLC  
By: JOE ANDREWS, Senior Geologist  
Its For Hunter Ridge Coal Co.

*Joe Andrews*  
9/2/09

INFORMATION SUPPLIED UNDER WEST VIRGINIA CODE  
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Grantor, lessor, etc.	Grantee, lessee, etc.	Royalty	Book/Page
L. Dow Phillips, et ux	Hope Natural Gas Co.	1/8	43/307

Well Operator: Dominion Exploration & Production, Inc.  
By: Rodney J. Biggs  
Its: Designated Agent-Vice President - Operations

9.74  


West Virginia Division of Environmental Protection  
Office of Oil and Gas

## NOTICE TO SURFACE OWNERS

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If no water well or spring is located within 1000 feet, the Chief may require the operator to sample and analyze water from a water well or spring within 2000 feet of the proposed well site.

Be advised, you have the right to sample and analyze any water supply at your own expense.

The laboratory used by the operator to analyze the samples will be approved by the Chief. The operator named below has decided to use the following laboratory to analyze the water samples:

<u>  X  </u>	Contractor Name	<u>Reliance Laboratories, Inc., (304) 842-5285</u>
<u>      </u>	Well operator's private laboratory	<u>P.O. Box 4657, Bridgeport, WV 26330-4657</u>
	Well Operator	<u>Dominion Exploration &amp; Production, Inc.</u>
	Address	<u>P.O. 1248</u>
		<u>Jane Lew, WV 26378</u>
	Telephone	<u>304-884-2000</u>

FOR OPERATOR'S USE ONLY: Below, or on an attached page, list those persons which were given this notice. Place an asterisk beside the one(s) that contacted you and requested sampling and analyses. If there were no requests made, indicate by underling which one you have selected to sample and analyze. If there are no water wells or springs within 1000 feet of the proposed site please indicate such.

Mary Morris Warder      303 Shoreline      Gainsville, TX 76240

DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS

API NUMBER 47- 001

CONSTRUCTION AND RECLAMATION PLAN AND SITE REGISTRATION APPLICATION FORM  
GENERAL PERMIT FOR OIL AND GAS PIT WASTE DISCHARGE

Operator's Well No. 34634

Operator Name DOMINION EXPLORATION & PRODUCTION, INC. OP ID \_\_\_\_\_

Watershed TYGART VALLEY RIVER Quadrangle PHILIPPI

Elevation 1320.13' County BARBOUR District PLEASANT

Description of anticipated Pit Waste: FLUIDS ASSOCIATED WITH THE DRILLING OF NEW GAS WELLS

Will a synthetic line be used in the pit? YES

Proposed Disposal Method For Treated Pit Wastes:

- ☒ Land Application
- ☐ Underground Injection (UIC Permit Number \_\_\_\_\_)
- ☐ Reuse (at API Number \_\_\_\_\_)
- ☐ Off Site Disposal (Supply for WW-9 for disposal location)
- ☐ Other (Explain) \_\_\_\_\_

Proposed Work For Which Pit Will Be Used:

- ☒ Drilling ☐ Swabbing
- ☐ Workover ☐ Plugging
- ☐ Other (Explain) \_\_\_\_\_

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on June 14, 1994, by the Office of Oil and Gas of the West Virginia Division of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or other applicable law or regulation can lead to enforcement action.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

Company Official Signature RODNEY J. BIGGS *R. J. Biggs* *P.H.*

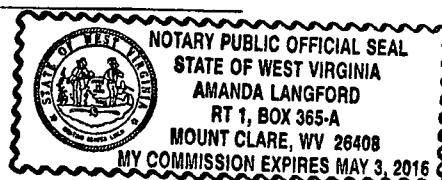
Company Official (Typed Name) RODNEY J. BIGGS

Company Official Title VICE PRESIDENT OF OPERATIONS

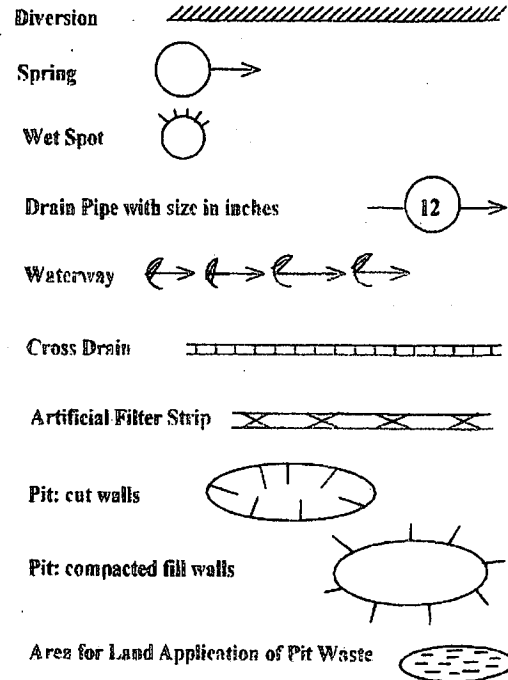
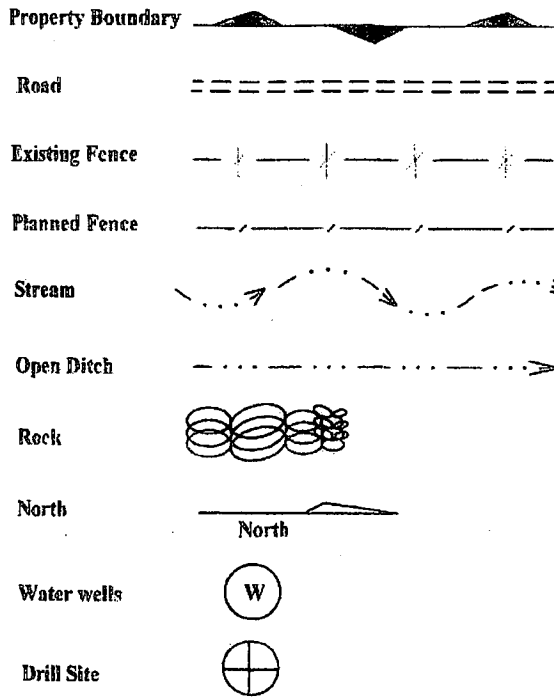
Subscribed and sworn before me this 10th day of September, 20 09

*Amanda Langford*  
My commission expires May 3, 2016

Notary Public



# LEGEND



Proposed Revegetation Treatment: Acres Disturbed 2.50 Prevegetation pH \_\_\_\_\_

Lime according to pH test Tons/acre or correct to pH 6.5

Fertilizer (10-20-20 or equivalent) 500 lbs/acre (500 lbs minimum)

Mulch HAY OR STRAW 2 Tons/acre

## Seed Mixtures

Area I	
Seed Type	lbs/acre
ORCHARDGRASS	25
BIRDSFOOT TREFOIL	15
LADINO CLOVER	10

Area II	
Seed Type	lbs/acre
ORCHARDGRASS	25
BIRDSFOOT TREFOIL	15
LADINO CLOVER	10

Attach:

Drawing(s) of road, location, pit and proposed area for land application.

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: Bryan O'Hara

Title: \_\_\_\_\_ Date: 9-1-9

Field Reviewed? ( ) Yes ( ) No

**STATE OF WEST VIRGINIA**  
**DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS**  
**WELL WORK PERMIT APPLICATION**

1) Well Operator Dominion Exploration & Production, Inc. Operator ID Barbour Pleasant Philippi  
County District Quadrangle

2) Operators Well Number: 34634 3) Elevation: 1320.13'

4) Well Type: (a) Oil        or Gas X  
 (b) If Gas: Production X / Underground Storage         
 Deep X / Shallow       

5) Proposed Target Formation(s): Marcellus

6) Proposed Total Depth: 7420' Feet

7) Approximate fresh water strata depths: 30', 80', 200', 350'

8) Approximate salt water depths: None

9) Approximate coal seam depths: 80'

10) Does land contain coal seams tributary to active mine? No

11) Describe proposed well work Drill new well and complete Marcellus Shale, uphole zones will be  
completed at a later date. Well will be drilled to the Marcellus Shale + 80' to TD in the  
Huntersville Chert for logging and rathole purposes.

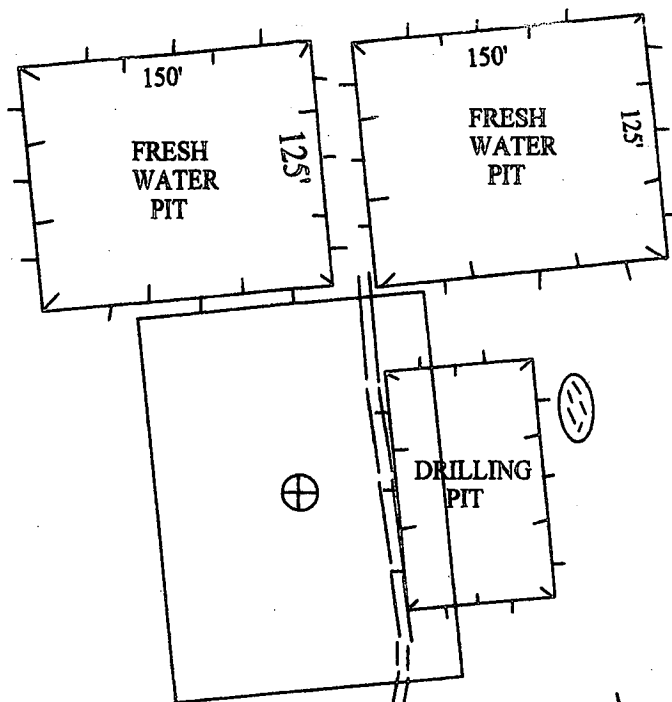
12) **CASING AND TUBING PROGRAM**

TYPE	SPECIFICATIONS			FOOTAGE INTERVALS		CEMENT
	Size	Grade	Weight per ft	For Drilling	Left in Well	Fill -up (Cu. Ft.)
Conductor	16"	LS	47	40'	40'	Sand In
Fresh Water	11 3/4"	LS	37	400'	400'	CTS
Coal						
Intermediate	8 5/8"	LS	23	1500'	1500'	CTS
Production	4 1/2"	P-110	11.6	7420'	7420'	200 cu ft
Tubing						
Liners						

Packers: Kind  
 Sizes  
 Depths Set

B.O.H.  
 9-1-9

*MEI*



SURFACE OWNER:

MARY MORRIS WARDER  
303 SHORELINE  
GAINSVILLE, TX 76240

LOCATION IS IN A FIELD. USABLE TIMBER  
WILL BE CUT AND STACKED. TOPSOIL WILL  
BE STOCKPILED FOR USE IN REVEGETATION.

ACCESS ROAD LEAVES THE END OF CR 22/3  
AND PROCEEDS ALONG AN EXISTING FARM  
ROAD TO THE SITE. ROCK WILL BE USED  
ON ROAD.

B.O.H.  
9-1-9

+10%  
240'  
EXISTING FARM ROAD  
+7%  
35'  
WARDER +3%  
75'  
MCCAULEY  
GATE  
END CR 22/3

TYGART VALLEY RIVER

DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

JANE LEW, WV 26378

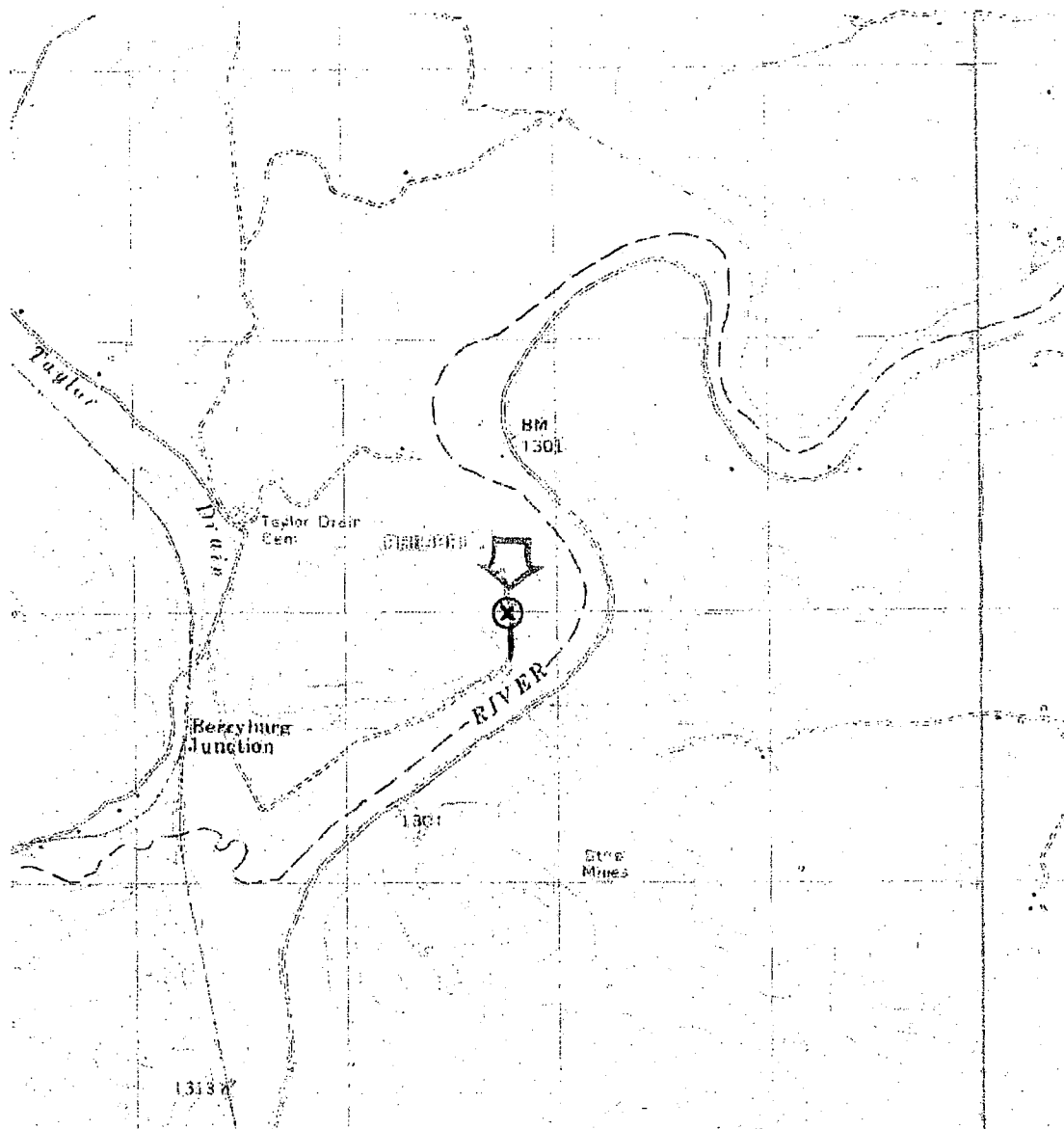
WATERSHED: TYGART VALLEY RIVER

DISTRICT: PLEASANT COUNTY: BARBOUR

QUADRANGLE: PHILIPPI WELL NO.: 34634

DATE: 04/19/09 PAGE \_\_\_\_ of \_\_\_\_

LAND SURVEYING SERVICES  
21 CEDAR LANE  
BRIDGEPORT, WV 26330  
PHONE: 304-842-2018 OR 5762



DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

JANE LEW, WV 26378

WATERSHED: TYGART VALLEY RIVER

DISTRICT: PLEASANT COUNTY: BARBOUR

QUADRANGLE: PHILIPPI WELL NO.: 34634

DATE: 04/19/09 PAGE of

LAND SURVEYING SERVICES  
21 CEDAR LANE  
BRIDGEPORT, WV 26330  
PHONE: 304-842-2018 OR 5762



Affidavit Of Personal Service

State Of West Virginia  
County Of Lewis

The undersigned, being first duly sworn, says that the undersigned served a true and complete copy of all sides of--

- (1) Notice on Form WW-2(A) X / WW-3(A)\_\_\_/ WW-4(A)\_\_\_/ WW-5(A)\_\_\_/ WW-6(A)\_\_\_
- (2) Application on Form WW-2(B) X / WW-3(B)\_\_\_/ WW-4(B)\_\_\_/ WW-5(B)\_\_\_/ WW-6(B)\_\_\_
- (3) Plat showing the well location on Form WW-6, and
- (4) Construction and Reclamation Plan on Form WW-9

--all with respect to operator's Well No. 34634 located in Pleasant  
District, Barbour County, West Virginia, upon the person or organization named--

CoalQuest Development Inc. (Goe Andrews)  
--by delivering the same in Manningsville County, State of West Virginia  
on the 2<sup>nd</sup> day of September, 2009 in the manner specified below.

[COMPLETE THE APPROPRIATE SECTION]

For an individual:

[ X ] Handing it to him X / her\_\_\_/ or, because he\_\_\_/ she\_\_\_/ refused to take it when offered it, by leaving it in his\_\_\_/ her\_\_\_/ presence.

[ ] Handing it to a member of his or her family above the age of 16 years named \_\_\_\_\_ who resides at the usual place of abode of the person to be served, and asking the family member to give it to the person to be served as soon as possible.

For a partnership:

[ ] Handing it to \_\_\_\_\_, a partner of the partnership or, because the partner refused to take it when I handed it over, by leaving it in the presence of the partner.

For a limited partnership:

[ ] Handing it to the general partner, named \_\_\_\_\_, or, because the general partner refused to take it when I tried to hand it over, by leaving it in the presence of the general partner.

For a corporation:

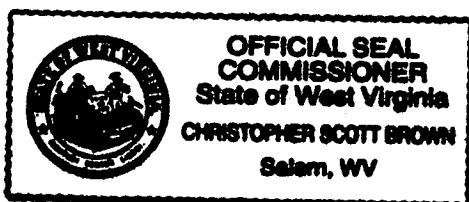
[ ] Handing it to the corporation's employee\_\_\_/ officer\_\_\_/ director\_\_\_/ attorney in fact\_\_\_/ named\_\_\_\_\_.

(Signature of person executing service)

Taken, subscribed and sworn before me this 26 day of September, 2009.  
My commission expires January 14, 2019.

Christopher Scott Brown  
Commissioner

(AFFIX SEAL IF NOTARIZED OUTSIDE THE STATE)



**Proof of Delivery**

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

**Tracking Number:** 1Z2799150194624503  
**Service:** NEXT DAY AIR  
**Shipped/Billed On:** 09/08/2009  
**Delivered On:** 09/09/2009 11:49 A.M.  
**Delivered To:** GAINESVILLE, TX, US  
**Location:** FRT DOOR

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 09/09/2009 3:26 P.M. ET

**Proof of Delivery**

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

**Tracking Number:** 1Z2799150191331727  
**Service:** NEXT DAY AIR  
**Shipped/Billed On:** 09/08/2009  
**Delivered On:** 09/09/2009 9:33 A.M.  
**Delivered To:** DALLAS, TX, US  
**Location:** FRT DOOR

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 09/09/2009 3:27 P.M. ET

## WELL REFERENCES:

N17-30E, 291.00' TO FENCE POST  
N27-30E, 269.00' TO FENCE POST

————— DENOTES LEASE LINE

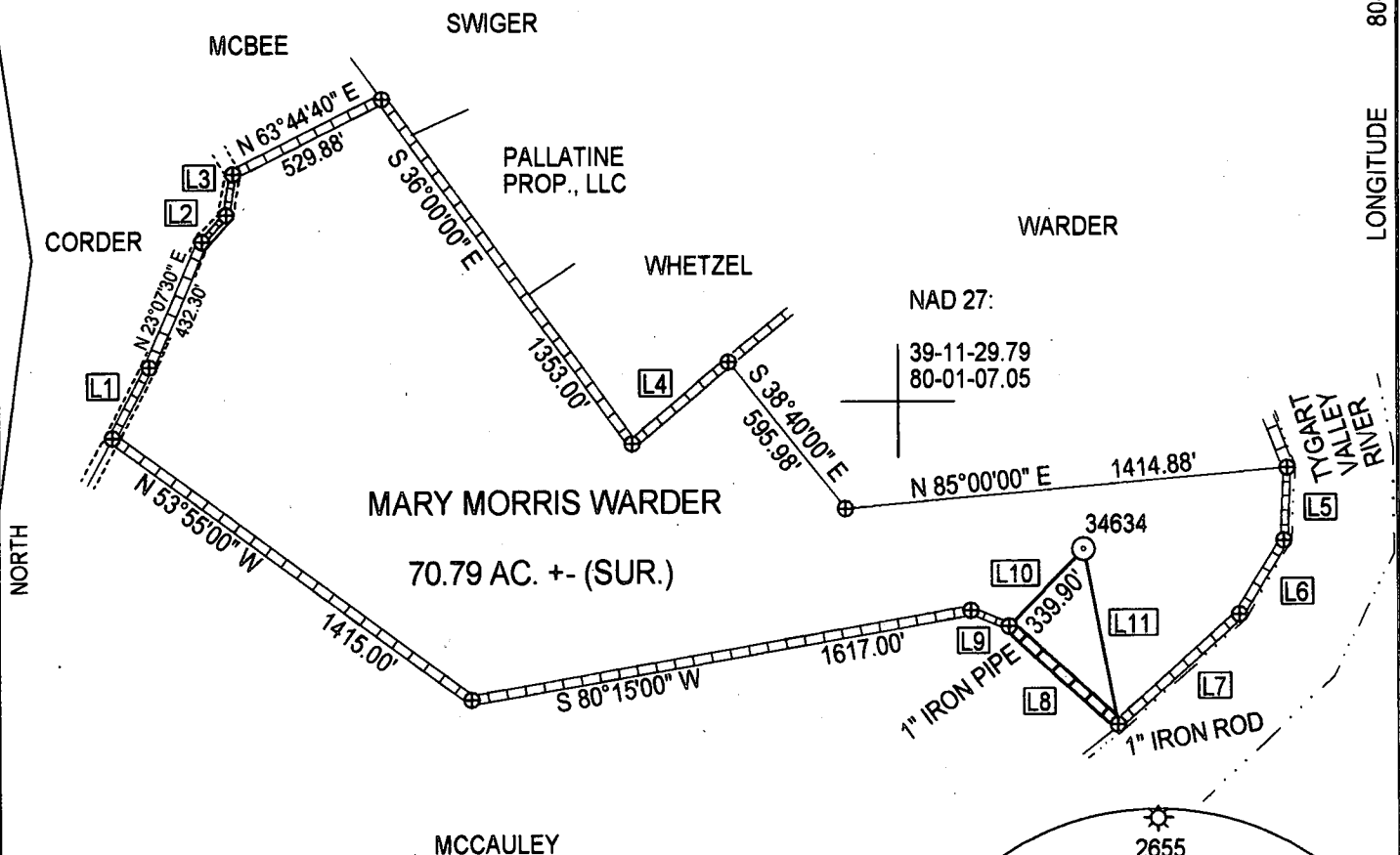
LATITUDE 39-12-30

SCALED COOR.:

5,290' WEST  
6,100' SOUTH

00-00-08

LONGITUDE

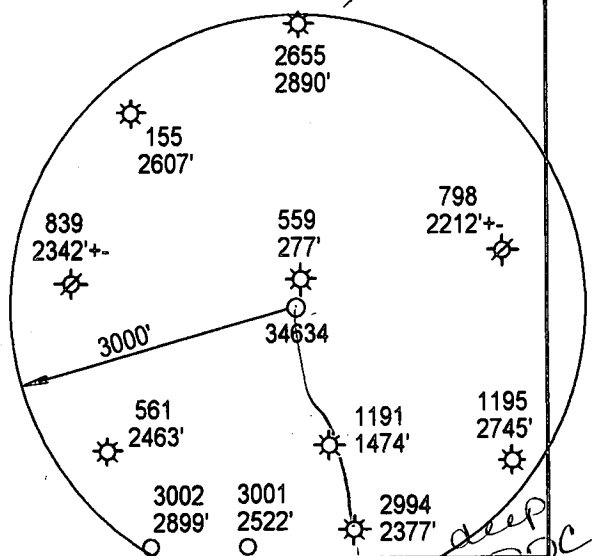


Id	Bearing	Distance
L1	N 28°00'00" E	251.00'
L2	N 42°30'00" E	114.18'
L3	N 10°00'00" E	132.00'
L4	N 50°15'00" E	400.62'
L5	S 3°00'00" W	231.00'
L6	S 31°30'00" W	272.25'
L7	S 48°19'40" W	518.43'
L8	N 48°05'00" W	465.10'
L9	N 67°55'00" W	133.00'
L10	N 44°18'49" E	339.90'
L11	S 11°05'48" E	564.47'

NOTE: 2994 IS ONLY  
DEEP WELL IN CIRCLE.

NAD 27 WV NORTH SPC:

34634 = 252,322.10'  
1,853,002.92'



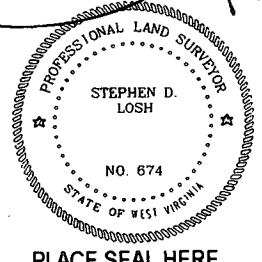
(+) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS

FILE NUMBER: \_\_\_\_\_  
DRAWING NUMBER: DEP34634R3.PCS  
SCALE: 1" = 600'  
MINIMUM DEGREE  
OF ACCURACY: SUBMETER  
PROVEN SOURCE  
OF ELEVATION: DGPS SURVEY  
SUBMETER SYSTEM

I THE UNDERSIGNED, HEREBY STATE THAT THIS PLAT IS CORRECT  
TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE  
INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND  
PRESCRIBED BY THE DEPARTMENT OF ENERGY.

(SIGNED) \_\_\_\_\_

STEPHEN D. LOSH, P.S. #674



PLACE SEAL HERE

STATE OF WEST VIRGINIA  
DIVISION OF ENVIRONMENTAL PROTECTION  
OFFICE OF OIL AND GAS  
#10 McJUNKIN ROAD  
NITRO, WV 25143-2508  
FORM WV-6

LAND SURVEYING SERVICES  
21 CEDAR LANE, BRIDGEPORT, WV 26330  
PHONE: 304-842-2018 OR 842-5762

DATE: AUGUST 31, 2009

OPERATORS WELL NO.: 34634

API WELL NO.

47 - 001

STATE COUNTY PERMIT

WELL TYPE: OIL ☐ GAS ☒ LIQUID INJECTION ☐ WASTE DISPOSAL ☐ CBM ☐  
(IF "GAS") PRODUCTION ☒ STORAGE ☐ DEEP ☒ SHALLOW ☐

LOCATION: ELEVATION 1320.13' WATERSHED TYGART VALLEY RIVER

DISTRICT PLEASANT COUNTY BARBOUR

QUADRANGLE PHILIPPI LEASE NUMBER 070671

SURFACE OWNER MARY MORRIS WARDER ACREAGE 108.00 (19-13)

OIL & GAS ROYALTY OWNER L. D. PHILLIPS LEASE ACREAGE 102.00

PROPOSED WORK: DRILL ☒ CONVERT ☐ DRILL DEEPER ☐ REDRILL ☐ FRACTURE OR STIMULATE ☐ PLUG OFF OLD FORMATION ☐  
PERFORATE NEW FORMATION ☐ OTHER PHYSICAL CHANGE (SPECIFY) \_\_\_\_\_

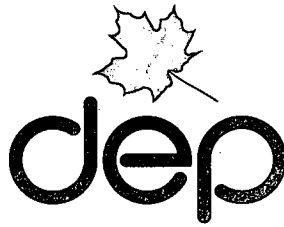
TARGET FORMATION MARCELLUS PLUG & ABANDON ☐ CLEAN OUT & REPLUG ☐  
ESTIMATED DEPTH 7420'

WELL OPERATOR DOMINION EXPLORATION & PRODUCTION, INC. DESIGNATED AGENT RODNEY BIGGS

ADDRESS P. O. BOX 1248 JANE LEW, WV 26378 ADDRESS P. O. BOX 1248 JANE LEW, WV 26378

COUNTY NAME

PERMIT



west virginia department of environmental protection

Oil and Gas Conservation Commission  
601 57<sup>th</sup> Street, SE Charleston, WV 25304  
(304)926-0499, Ext 1656

Joe Manchin III, Governor  
Randy C. Huffman, Cabinet Secretary  
www.wvdep.org

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA**

IN THE MATTER OF THE REQUEST BY DOMINION  
EXPLORATION AND PRODUCTION, INC. FOR EXCEPTION  
LOCATIONS REGARDING THE DRILLING OF THE  
PROPOSED WELL NUMBERS 33910, 33914, AND 34634  
TO BE LOCATED IN PHILIPPI AND PLESANT DISTRICTS,  
BARBOUR COUNTY, WEST VIRGINIA

DOCKET NO. 202-195  
ORDER NO. 1

**REPORT OF THE COMMISSION**

This cause came before the Commission on August 25, 2009, in the Department of Environmental Protection Conference Room, Charleston, West Virginia after giving notice as required by law at the request of Dominion Exploration and Production, Inc., (herein after referred to as ("Dominion")), seeking approval for an exception to Operational Rule 39-1.4.2, for the drilling of a proposed wells identified as 33910, 33914, and 34634. Dominion proposes to drill 80' into the Onondaga formation. The proposed locations do not meet the spacing requirement imposed on deep wells; therefore, Dominion has requested approval from the Commission for exception to rule 39-1.4.2.

The Commission heard testimony from two witnesses, being Bill Carpenter and Jeff Hosafloot, on behalf of Dominion, and the witness was subject to cross examination. Following the testimony, there being no other witnesses or parties interested in or affected by the application present, the Board voted on and thereupon convened an executive session. After breaking from executive session, a Motion was made by a member of the Commission to table the application as it was incomplete. The Motion was properly seconded. The Board informed Dominion of the information that was missing from the application. There being no objections to the Motion, a vote was taken. There being three ayes, and no nays, with the chair abstaining and one member absent and not voting, the Motion carried, and the application was tabled.

**ORDER**

Therefore, based on the aforesaid, this matter is continued until the application is complete and Dominion requests a further hearing in this matter.

IN THE NAME OF THE STATE OF WEST VIRGINIA

OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA

By:   
Barry K. Lay, Chairman

Dated this 9 th day of October, 2009, at Charleston, West Virginia.

Promoting a healthy environment.

BEFORE THE OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA

IN THE MATTER OF THE REQUEST BY  
DOMINION EXPLORATION AND PRODUCTION,  
INC. FOR EXCEPTION LOCATIONS  
REGARDING THE DRILLING OF  
THE PROPOSED WELL NUMBERS 33910,  
33914 AND 34634 TO BE LOCATED IN  
PHILIPPI AND PLEASANT DISTRICTS,  
BARBOUR COUNTY, WEST VIRGINIA.

DOCKET NO. 202  
CAUSE NO. 195

**TRANSCRIPT OF PROCEEDINGS** of an Emergency Hearing  
in the above-entitled matter, on the 22<sup>nd</sup> day of September,  
2009, commencing at 1:00 p.m. and concluding at 1:17 p.m.,  
at the Office of the Department of Environmental  
Protection, 601 57<sup>th</sup> Street, S.E., Charleston, Kanawha  
County, West Virginia, pursuant to notice to all interested  
parties.

BEFORE: JAMES MARTIN, Chairman  
ANTHONY GUM, Member  
ROBERT RADABAUGH, Member  
STACY DELONG, Counsel for Commission  
CYNTHIA RAINES, Staff

**ORIGINAL**

**NANCY MCNEALY**  
CERTIFIED COURT REPORTER

Post Office Box 13415  
Charleston, West Virginia 25360-0415  
(304) 988-2873 FAX (304) 988-1419

APPEARANCES: ON BEHALF OF DOMINION EXPLORATION  
AND PRODUCTION, INC.:

GREG CUNNINGHAM  
DOUGLAS RIEF

## I N D E X

Reporter's Certificate.....Page 9



1 CHAIRMAN MARTIN: Before the Oil and Gas  
2 Conservation Commission of the State of West Virginia in  
3 regard to a matter before the Board that was originally  
4 held as Docket 202, Cause No. 195, a hearing that took  
5 place on September 15<sup>th</sup> at DEP Headquarters, and we are  
6 here to discuss that matter in detail today.

7 Let the record show members of the  
8 Commission present today are Bob Radabaugh, Tony Gum, James  
9 Martin, counsel for the Commission, Stacy DeLong and staff  
10 for the Commission, Cindy Raines.

11 Again, this is a matter that came before the  
12 Board at a hearing on September 15<sup>th</sup> and was Docket 202,  
13 Cause 195. The Board or the Commission has called an  
14 emergency meeting to address certain spacing issues that  
15 have to come to the Commission's attention. No re-notice  
16 is required in this case due to the same parties being  
17 involved.

18 What was discovered by the Commission in  
19 research subsequent to the hearing on September 15<sup>th</sup> was an  
20 addition well, that being Barbour County permit number  
21 2985, that appeared to be creating a spacing issue in  
22 regard to the Applicant's request for an exception Well No.  
23 33910. The Applicant has been notified of that concern and  
24 is present in the hearing today to provide testimony in

1 that regard and to address that spacing issue. So with  
2 that, the Commission will take appearances and allow for  
3 the Applicant to address that matter.

4 MR. CUNNINGHAM: My name is Greg Cunningham,  
5 District Land Supervisor for Dominion Exploration and  
6 Production. We would like to amend our request to request  
7 a waiver of the 3,000 feet to EPI Well No. 2985 from our  
8 Well No. 33910.

9 CHAIRMAN MARTIN: Mr. Cunningham, do you have  
10 any particular evidence you'd like to present in regard to  
11 that well?

12 MR. CUNNINGHAM: The Well 2985 was completed  
13 in the Marcellus shale formation and drilled 80 feet into  
14 the Onondaga for rathole purposes only and the Marcellus  
15 shale was completed and so is the intention of Well 33910.

16 CHAIRMAN MARTIN: And in the prior hearing,  
17 this particular well wasn't identified as presenting this  
18 spacing problem; is that correct?

19 MR. CUNNINGHAM: It was misidentified.

20 CHAIRMAN MARTIN: The 2985 permit number is a  
21 Dominion well, correct?

22 MR. CUNNINGHAM: That is correct. It is a  
23 Dominion Exploration Production well. Would the operation  
24 number be beneficial?

1                   CHAIRMAN MARTIN:     Sure.

2                   MR. CUNNINGHAM:     Along with the EPI number.  
3     Operator Well No. 33306.

4                   CHAIRMAN MARTIN:     And just that I'm clear, that  
5     well was permitted as a deep well.

6                   MR. CUNNINGHAM:     Correct.

7                   CHAIRMAN MARTIN:     And has been drilled and  
8     completed?

9                   MR. CUNNINGHAM:     That is correct.

10                  CHAIRMAN MARTIN:     As of today?

11                  MR. CUNNINGHAM:     That is correct.

12                  CHAIRMAN MARTIN:     Any questions from members of  
13     the Commission?

14                  MR. GUM:            None from me.

15                  MR. RADABAUGH:     None for me.

16                  CHAIRMAN MARTIN:     Let's go off the record.

17                                       (WHEREUPON, a discussion was  
18                                       had off the record, after  
19                                       which the proceedings  
20                                       continued as follows:)

21                  CHAIRMAN MARTIN:     Let's go back on. Mr.  
22     Cunningham, any further evidence or testimony that you  
23     would like to provide in regard to this matter today?

24                  MR. CUNNINGHAM:     I only offer my -- I don't

1 know if Doug Rief has anything to add.

2 MR. RIEF: That covers it.

3 CHAIRMAN MARTIN: No further questions from the  
4 Commission?

5 MR. GUM: No.

6 MR. RADABAUGH: No. I'd like to make a  
7 motion to go to executive session to deliberate the issue  
8 at hand.

9 MR. GUM: I second that.

10 CHAIRMAN MARTIN: Further discussion? Those in  
11 favor?

12 COMMISSION: Aye.

13 CHAIRMAN MARTIN: Opposed. Okay.

14 (WHEREUPON, the Commission  
15 deliberated, after which the  
16 proceedings continued as  
17 follows:)

18 CHAIRMAN MARTIN: Okay, we can go back on the  
19 record. Do I have a motion?

20 MR. RADABAUGH: I'd like to make a motion to  
21 amend Dominion's application for their request for the  
22 exception to the rule under Docket No. 202, Cause 195.

23 MR. GUM: I will second that motion.

24 CHAIRMAN MARTIN: It's been moved and seconded.

1 Any further discussion? Those in favor, please say aye.

2 COMMISSION: Aye.

3 CHAIRMAN MARTIN: Opposed. Okay, motion  
4 carried.

5 MR. RADABAUGH: I'd like to make another  
6 motion to grant Dominion's request for the exception of  
7 Well No. 33910 to be within 3,000 feet of another permitted  
8 deep well; namely, Barbour 2985, Dominion Well No. 33306.

9 MR. GUM: And I'll second that motion.

10 CHAIRMAN MARTIN: Again, it's been moved and  
11 seconded. Is there any further discussion? All those in  
12 favor of the motion, please say aye.

13 COMMISSION: Aye.

14 CHAIRMAN MARTIN: Opposed, same. Okay, motion  
15 carried. Anything else for the record? Counsel?

16 MS. DELONG: No.

17 CHAIRMAN MARTIN: Okay, I'll close the record.

(WHEREUPON, the proceeding was concluded.)

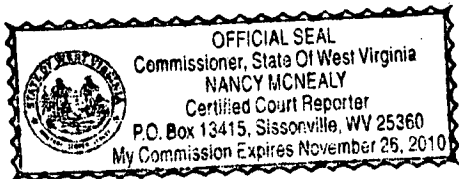
**REPORTER'S CERTIFICATE**

STATE OF WEST VIRGINIA,  
COUNTY OF KANAWHA, to wit:

I, **NANCY MCNEALY**, Certified Verbatim Court Reporter and Commissioner of West Virginia, do hereby certify that the foregoing is, to the best of my skill and ability, a true and accurate transcript of all the proceedings as set forth in the caption hereof.

Given under my hand this 29th day of  
September, 2009.

My commission expires November 26, 2010.



A handwritten signature in cursive script, appearing to read "Nancy McNealy", is written over a horizontal line.

Certified Verbatim Reporter  
Commissioner of West Virginia

BEFORE THE OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA

IN THE MATTER OF THE REQUEST BY  
DOMINION EXPLORATION AND PRODUCTION,  
INC. FOR EXCEPTION LOCATIONS  
REGARDING THE DRILLING OF  
THE PROPOSED WELL NUMBERS 33910,  
33914 AND 34634 TO BE LOCATED IN  
PHILIPPI AND PLEASANT DISTRICTS,  
BARBOUR COUNTY, WEST VIRGINIA.

DOCKET NO. 202  
CAUSE NO. 195

**TRANSCRIPT OF PROCEEDINGS** had or testimony  
adduced in the above-entitled matter, on the on the 25<sup>th</sup>  
day of August, 2009, commencing at 10:29 a.m. and  
concluding at 11:22 a.m., at the Office of the Department  
of Environmental Protection, 601 57<sup>th</sup> Street, S.E.,  
Charleston, Kanawha County, West Virginia, pursuant to  
notice to all interested parties.

BEFORE: BARRY LAY, Chairman  
JAMES MARTIN, Member  
ANTHONY GUM, Member  
ROBERT RADABAUGH, Member  
STACY DELONG, Counsel for Commission  
CYNTHIA RAINES, Staff

**ORIGINAL**

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APPEARANCES: ON BEHALF OF DOMINION EXPLORATION  
AND PRODUCTION, INC.:

GREG CUNNINGHAM  
BILL CARPENTER  
JED SPRATT  
JEFF HOSAFLOOK



## I N D E X

<u>Applicant's Witness:</u>	<u>Direct</u>	<u>Examination</u>
Bill Carpenter	7	8 (Lay) 9 (Martin) 11 (Lay)
Jeff Hosaflook	13	14 (Lay) 14 (Radabaugh) 15 (Gum) 15 (Lay)

<u>Commission's Exhibits:</u>	<u>Marked &amp; Received</u>
No. 1, Notice of Continuance and Certified Receipt Cards	5
No. 2, Legal Aid	5
No. 3, Application for Well 33910	5
No. 4, Application for Well 33914	5
No. 5, Application for Well 35634	5
No. 6, Letter by Joe Andrews of Hunter Ridge Coal Company	5

Reporter's Certificate.....Page 24

1                   CHAIRMAN MARTIN:     Before the Oil and Gas  
2 Conservation Commission of the State of West Virginia in  
3 the matter of the Request by Dominion Exploration and  
4 Production, Inc. for Exception Locations Regarding the  
5 Drilling of the Proposed Wells Numbers 33910, 33914 and  
6 34634 to be Located in Philippi and Pleasant District,  
7 Barbour County, West Virginia. This is Docket No. 202,  
8 Cause No. 195.

9                   Let the record show that present are members  
10 of the Commission, James Martin, Robert Radabaugh, Anthony  
11 Gum and Barry Lay. Represented by counsel Stacy DeLong and  
12 Cindy Raines of staff.

13                  CHAIRMAN LAY: I'd like to place of record as  
14 Exhibit 1 a copy of the Notice of Hearing along with the  
15 certified receipts. Exhibit 2 is a copy of the legal  
16 advertisement confirmation. Exhibit 3 is a copy of the  
17 well application for Well No. 33910. Exhibit 4 is a copy  
18 of the well application for Well No. 33914 and Exhibit 5 is  
19 a copy of the well application for Well No. 34634. I also  
20 have a letter received via fax yesterday from Hunter Ridge  
21 Coal Company, and I don't see a date but Hunter Ridge on  
22 behalf of CoalQuest Development LLC. The letter was signed  
23 by Joe Andrews and is addressed to the Conservation  
24 Commission Chairman. It was faxed yesterday. I probably

1 said that.

2 (WHEREUPON, the Notice of Hearing  
3 and Return Receipts were marked  
4 as Exhibit No. 1; the Legal  
5 Advertisement Confirmation was  
6 marked as Exhibit No. 2; the  
7 Application for Well No. 33910  
8 was marked as Exhibit No. 3; the  
9 Application for Well No. 33914  
10 was marked as Exhibit No. 4; the  
11 Application for Well No. 33634  
12 was marked as Exhibit No. 5; a  
13 Letter from Hunter Ridge Coal  
14 Company was marked as Exhibit No.  
15 6 for identification and received  
16 in evidence.)

17 MR. RADABAUGH: What might it say, Mr. Chairman?

18 CHAIRMAN LAY: It's actually a Notice of Hearing  
19 held on -- today "in Charleston indicates that Dominion has  
20 requested the Commission grant an exception to Rule  
21 39.1.4.2 for the proposed well numbers 33910, 33914 and  
22 33634. Apparently the proposed locations do not meet the  
23 spacing requirements for deep wells. Two of the subject  
24 wells, 33914 and 34634, are on coal tracts owned by

1 CoalQuest Development, LLC. While we have no objections to  
2 the locations of these particular wells, we do object to  
3 reducing the spacing of gas wells in general, because of  
4 the adverse effects of higher well density on efficient and  
5 proper development of coal reserves. Sincerely, Joe  
6 Andrews".

7 Although he has no objections to this, he  
8 doesn't like increased density. That's Exhibit 6. Okay,  
9 the Commission will at this time take appearances. If you  
10 would state your name for the record, please.

11 MR. CARPENTER: My name is Bill Carpenter.

12 MR. SPRATT: Jed Spratt.

13 MR. CUNNINGHAM: Greg Cunningham.

14 MR. HOSAFLOOK: Jeff Hosaflook.

15 CHAIRMAN LAY: All representing?

16 MR. CUNNINGHAM: Dominion Exploration and  
17 Production out of Jane Lew, West Virginia.

18 CHAIRMAN LAY: At this time we'll ask you to  
19 present your case to the Commission. You want to call your  
20 first witness and we'll have him sworn by the court  
21 reporter.

22 MR. CUNNINGHAM: We call Bill Carpenter, a  
23 geologist for Dominion Exploration and Production.

24 (Witness sworn.)

1 THEREUPON

2 **B I L L C A R P E N T E R**

3 called by Dominion Exploration and Production as a witness,  
4 having been first duly sworn, testified as follows:

5 **DIRECT EXAMINATION**

6 CHAIRMAN LAY: You're not represented by counsel.  
7 Are you going to ask Mr. Carpenter questions or are you  
8 just going to present?

9 THE WITNESS: Either way. I can answer  
10 questions or. The main reason I was here was just to  
11 discuss the amount of rat hole that we planned on drilling.

12 CHAIRMAN LAY: Okay, would you first -- since  
13 you're not represented by counsel, would you first give us  
14 -- you've stated your name but give us your educational  
15 background.

16 THE WITNESS: Sure. My name is Bill Carpenter.  
17 I'm a geologist at Dominion E&P. I went to WVU where I  
18 received by Bachelor's and Master's in Geology. I've been  
19 working with Dominion for five years.

20 CHAIRMAN LAY: Okay. Do you want to go ahead and  
21 tell us.

22 THE WITNESS: Right now we're looking to get 80  
23 feet of penetration below the base of the Marcellus mainly  
24 for logging and casing purposes. Weatherford's logging

1 tools are 47 feet in total length and when we use  
2 Schlumberger in conjunction with an ECS log, their logging  
3 tool is 65 feet.

4 So by penetrating the top of the Onondaga by  
5 80 feet, we're able to run the entire logging string and  
6 log the entire Marcellus in one pass as opposed to multiple  
7 passes where we may have deteriorating hole conditions and  
8 by just lowering sources, it's more dangerous to run  
9 multiple runs. The other reason is casing -- if we drill  
10 80 feet, we're able to get at least one full joint of  
11 range-three pipe below the Marcellus.

12 On our last well or last two wells we've run  
13 P110 and 11.6 pound casing and mainly we'd like to get the  
14 one full joint below the Marcellus mainly for stimulation  
15 and cement integrity. We don't want the frac to go outside  
16 if it were to -- if the casing were to be set too shallow,  
17 we would have to worry about stimulation integrity or  
18 cement integrity so that's why we're trying to get 80 feet  
19 of penetration. I think that basically concludes the  
20 reasons.

21 **EXAMINATION**

22 BY CHAIRMAN LAY:

23 Q Are you the one with regard to the  
24 positioning of the location that we need to discuss with

1 or?

2 A I'm not sure if Jeff or Jed was going to  
3 talk about that. Mainly, it's just to lower the impact on  
4 the surface. To do as little damage as possible to the  
5 surface. You know work with the surface owners to get the  
6 best possible location.

7 Q Okay, is there anything else?

8 A No.

9 CHAIRMAN LAY: Any questions from members of the  
10 Commission?

11 MR. GUM: No.

12 MR. RADABAUGH: Not at this time.

13 **EXAMINATION**

14 BY MR. MARTIN:

15 Q How thick is the Onondaga at this site?

16 A In Philippi, we actually just drilled 333 --

17 MR. GUM: You can just sit over there if you  
18 want to.

19 THE WITNESS: Okay. We currently just TD'd  
20 33306 a week and half ago and we encountered approximately  
21 12 feet of Onondaga limestone.

22 BY MR. MARTIN:

23 Q So what formation did you TD?

24 A We'd actually be in the Huntersville Chert

1 at TD.

2 CHAIRMAN LAY: I'm sorry, Marty, did you get the  
3 answer to your question?

4 MR. MARTIN: Yes.

5 CHAIRMAN LAY: Do you have any other questions?

6 BY MR. MARTIN:

7 Q How far off the bottom would the pipe be?

8 A Well, our joints of pipe come in 40 foot  
9 joints; that's range-three pipe. It's approximately 41, 42  
10 feet joints. So depending on the depth, you know, we're  
11 playing this game of plus 40, plus 40, plus 40 so we're not  
12 exactly how sure, or not how sure, where exactly that float  
13 shoe is going to be. You know, that depends on your  
14 elevation of your well, the structure but it's going to  
15 fluctuate in the bottom of that hole below the Marcellus  
16 based on those factors, but because we're using 40 foot  
17 joints, with 80 feet of rat hole we're guaranteed to get at  
18 least one full joint or 40 feet of pipe below the  
19 Marcellus.

20 Q Is there a rule of thumb that you shoot for  
21 in terms of staying off --

22 A Right now we're -- I know one of our other  
23 wells 30 feet is a minimum of -- we wanted to have at least  
24 have 30 feet of pipe below our perforations.



1 MR. MARTIN: Thank you. That's all I have.

2 EXAMINATION (Continuing)

3 BY CHAIRMAN LAY:

4 Q I'm not sure I caught how thick you said the  
5 Onondaga was here?

6 A Probably about 12 feet.

7 Q And then below --

8 A Based on our off-set well.

9 Q Below the Onondaga you're going to be into  
10 the --

11 A The Huntersville Chert.

12 Q And how thick is the Huntersville?

13 A We didn't penetrate the entire Huntersville  
14 Chert in this section. If I were just to throw out a  
15 random number, probably 60-to-70 feet.

16 Q So you'll be close to the base if not  
17 penetrating the Huntersville, if it's 60 feet?

18 A It would be very close.

19 Q What's below the Huntersville?

20 A The Oriskany.

21 Q You don't have any Needmore Shale here?

22 A No, sir.

23 Q Is the Huntersville productive in this area?  
24 Are you aware of any production?

1           A     I don't know of any production from the  
2     Huntersville Chert in this area.

3           Q     What about the Oriskany?

4           A     The closest production I can even think of  
5     offhand would be in eastern Marion County. There may -- I  
6     couldn't honestly answer outside of our acreage position  
7     what the closest Oriskany well might be, but as far as I  
8     know, it's not truly active. There's too much fracturing  
9     and stuff. You get a lot of depleted reservoir and such.  
10    So to my knowledge, no, there's no active Oriskany wells.

11          Q     Okay. Well, let me make sure that I  
12    understand. Basically, if your figures are correct, I know  
13    you don't have -- you gave us generalities.

14          A     Right.

15          Q     But if there's 12-to-15 feet of Onondaga and  
16    60 feet more or less of Huntersville and there's no  
17    Needmore Shale, you could be penetrating the Oriskany at 80  
18    feet; is that correct?

19          A     Potentially.

20          Q     And you're not aware of any Oriskany  
21    production within those?

22          A     No, sir.

23          CHAIRMAN LAY: Okay. That's the only questions I  
24    have, I think, for you. Any other questions? If not, the

1 witness may be excused. Do you want to call your next  
2 witness?

3 (Witness stands aside.)

4 MR. CUNNINGHAM: Yes, I'd like to call Jeff  
5 Hosaflook.

6 CHAIRMAN LAY: We'll have the witness sworn.  
7 THEREUPON

8 **J E F F H O S A F L O O K**

9 called by Dominion Exploration and Production as a witness,  
10 having been first duly sworn, testified as follows:

11 **DIRECT EXAMINATION**

12 CHAIRMAN LAY: Please state your name and give us  
13 a little bit about your background.

14 THE WITNESS: Jeff Hosaflook. I'm from  
15 Clarksburg, went to Glenville for four years with a  
16 Forestry degree and a Business Management degree. I worked  
17 in the forest industry for 15 years and started this job a  
18 year and half ago with Dominion.

19 Basically, the spots for these wells came  
20 out to be probably the less impact for the property.  
21 They're in a flat bottom, close to the river. The water  
22 transport would be pretty easy. There won't hardly be any  
23 disturbance at all. It all will be easy to put back. No  
24 timber except on the one site, the 33910, it has a little

1 bit of timber. It's kind of an old fill growth. It's not  
2 real high-dollar timber.

3 I think the biggest thing was the access to  
4 the water. We won't have to truck the water. It's close  
5 to the river and also the flat bottoms we won't be cutting  
6 out a hillside or anything. That's about all I have.

7 **EXAMINATION**

8 BY CHAIRMAN LAY:

9 Q Are you the person responsible for  
10 permitting applications for these wells?

11 A Yes, sir.

12 CHAIRMAN LAY: Any questions?

13 MR. RADABAUGH: One.

14 **EXAMINATION**

15 BY MR. RADABAUGH:

16 Q I'm not sure if it's the appropriate time or  
17 not, but all three of these wells you wasn't asking for  
18 spacing reduction of the 3,000 feet between the wells, were  
19 you? There was no inter-relationship there on those?

20 A No, all these wells are further; 3300 I  
21 think is the closest.

22 Q Okay.

23 A So just the 400 feet from the lease line.

24 Q From the lease line is all you're

1 requesting.

2 A Yes.

3 MR. RADABAUGH: Okay.

4 **EXAMINATION**

5 BY MR. GUM:

6 Q And your distance from the lease line is  
7 what?

8 A That I'm not sure of. The surveyor didn't  
9 put these on, but they're closer than 400 feet, probably  
10 100 to 300 feet. One of them I'd say the closest one is  
11 300.

12 MR. CUNNINGHAM: I think we resubmitted those,  
13 Jeff. I think those are all on the plat.

14 MS. RAINES: Yeah, the distance to the lease  
15 line are on the plats.

16 THE WITNESS: They're on the new plots, I  
17 apologize.

18 MR. GUM: I'm with you.

19 **EXAMINATION (Continuing)**

20 BY CHAIRMAN LAY:

21 Q I'd like to go through those if you don't  
22 mind. I don't mean to jump in the middle of your question,  
23 but I'll ask. The 33910 --

24 A Yes, sir.

1           Q     -- the plat that I'm looking at, the part of  
2 the package that I was supplied, shows this tying into a --  
3 being on a 65.14 acre tract and offsetting a four acre  
4 tract. Now are these smaller tracts to the north, are  
5 those surface tracts contained within this lease?

6           A     Yes, sir.

7           Q     I mean it appears that this is a 218 acre  
8 lease and you're showing the surface tracts within that  
9 leased tract?

10          A     Yes, sir.

11          Q     Now this 319 feet, does that represent the  
12 outside boundary which is the Tygart Valley River to the  
13 property?

14          A     Yes, sir. That's the outside of our lease,  
15 yes, sir.

16          Q     So that one would be 319 feet; is that your  
17 testimony?

18          A     Yes, sir.

19          Q     Okay. Let's go to the next one. This is  
20 the 33914. It appears that it's on a 106 acre tract but a  
21 100 acre lease, and I'm not exactly sure I understand that.  
22 You're showing that your tract is 100 acres for the lease,  
23 but you're showing that it's on a surface tract of a 106.  
24 So I assume that there's six acres that's not platted here

1 that is owned by the same surface owner; is that what  
2 you're saying?

3 A Correct, yes, sir.

4 Q And it represents that it's 216 feet from  
5 the nearest property line; is that correct?

6 A Yes, sir. And that is also the lease line.

7 Q That is the lease line. Okay. And the  
8 final one is the 34634 and it shows it being on a 102 acre  
9 lease on a 108 acre tract.

10 A Yes, sir.

11 Q I do not see a distance from the property  
12 line on this one though, other than it shows the distance  
13 to -- that is noted here L10, but it appears from the plat  
14 that the line to the north may be closer than the L10  
15 measurement. Are we actually closer to the property line  
16 to the north than we are to the tie line to the southwest?

17 A Yes, it appears that way, uh-huh.

18 Q You're showing 339.9 feet to the line which  
19 would be southwest of the location. Do you have any idea  
20 what that distance is?

21 A No, sir. From -- the line to the north to  
22 the well?

23 Q Yes.

24 A No, sir.

1           MR. MARTIN:     Is that the lease boundary, that  
2 line to the north?

3           THE WITNESS:    I don't believe it is.

4           BY CHAIRMAN LAY:

5           Q     Well, this is a 70 acre tract so that could  
6 be platted.

7           A     To the north is -- also comes through our  
8 lease.

9           Q     Okay, all right, I missed that, that's a 70  
10 -- you've got a 70.79 acre tract platted and it's a 100  
11 acre lease.

12          A     Uh-huh (yes).

13          Q     That explains it. Okay. I had a couple  
14 other questions if no one else -- anyone else have any  
15 questions?

16          MR. MARTIN:     I just want to ask, Mr. Chairman,  
17 are there any wells within -- any deep wells within 3000  
18 feet of any lease, or maybe somebody already addressed  
19 that.

20          THE WITNESS:    Not that I'm unaware

21          MR. MARTIN:     No deep well within 3,000 feet of  
22 any these wells?

23          THE WITNESS:    No, not we're aware of, no.

24          MR. MARTIN:     Thank you.



1 BY CHAIRMAN LAY:

2 Q Okay, and I think I asked you. You're the  
3 one responsible for preparing the permit that was filed  
4 with the state?

5 A Yes, sir.

6 Q Have any of these wells already been issued  
7 permits?

8 A No, sir. I don't believe they have. Not  
9 that I'm aware of.

10 Q Okay. They have been -- it appears that  
11 they have been modified.

12 A Yes, sir.

13 Q In changing them from shallow to deep well  
14 status, did you re-notice the landowners and coal company  
15 of the change in status?

16 A We also redid the pits on these too, and  
17 they should have been re-notified then also.

18 Q But you did send -- do you have information  
19 that provides the Commission that the parties that were  
20 noticed when these permits were filed, when a modification  
21 was made, were they re-noticed that the permits had been  
22 modified?

23 A I think that was in conjunction with the  
24 noticing of the pits. We changed the pit location also.

1 Q Okay.

2 A And we requested the state to inspect it.  
3 It should have been.

4 CHAIRMAN LAY: Okay. Any other questions? If  
5 not, the witness may be excused. You can call your next  
6 witness.

7 (Witness stands aside.)

8 MR. CUNNINGHAM: That's all we have, Mr. Chairman.

9 CHAIRMAN LAY: I'm sorry, what you said?

10 MR. CUNNINGHAM: That's all we have, Mr. Chairman.

11 CHAIRMAN LAY: Anything else from members of the  
12 Board?

13 MR. RADABAUGH: Just looking at these plats, maybe  
14 they've been submitted, but it looks like there's not all  
15 the information that's been filled out by the surveyor,  
16 target formation, estimated depth.

17 CHAIRMAN LAY: Okay. Yeah, that appears that's  
18 been omitted, some of the information, but that's something  
19 we can discuss.

20 MR. CUNNINGHAM: Can we do that now? Can you  
21 provide that information to him now?

22 MR. CARPENTER: I can calculate it.

23 CHAIRMAN LAY: That's something we -- yeah, we  
24 need to discuss it. If there's nothing further, you have

1 no further evidence, if you'd be so kind just to -- we'll  
2 go off the record.

3 (WHEREUPON, the Commission  
4 deliberated, after which the  
5 proceedings continued as  
6 follows:)

7 CHAIRMAN LAY: Do we have a motion?

8 MR. RADABAUGH: Do you want to ask the question?

9 CHAIRMAN LAY: Yeah, I can. I think it's a moot  
10 question, but do you have any evidence of after the permit  
11 was modified that you provided notice to the surface oil  
12 and gas or coal owners --

13 MR. CUNNINGHAM: No.

14 CHAIRMAN LAY: -- of the corrected information  
15 on these plats?

16 MR. CUNNINGHAM: No.

17 CHAIRMAN LAY: So you don't have that  
18 information with you?

19 MR. CUNNINGHAM: No.

20 CHAIRMAN LAY: Okay, now.

21 MR. RADABAUGH: Mr. Chairman, I would make a  
22 motion that Dominion needs to provide us with proof of  
23 service on the second notice to all the concerned owners or  
24 parties, surface owners and coal owners, et cetera, to show

1 that they had requested a modification to deep well status  
 2 to give those parties opportunity to make any objections if  
 3 they so desire and also the survey plat needs to be  
 4 completed and the WW-2B -- it has been marked on there that  
 5 it was changed from shallow to a deep well, of course, that  
 6 needs to be in the package to make sure that was provided  
 7 to all parties concerned and also should show they are  
 8 going to drill 80 feet and is listed as going into the  
 9 Onondaga but since the Onondaga is actually only 12 feet,  
 10 there should be something showing that the bottom of the  
 11 hole will be either the Chert or the Oriskany or whatever  
 12 and that upon all that being supplied to us, then we will  
 13 make a decision on their request.

14 CHAIRMAN LAY: Let me make sure I clarify your  
 15 motion. Are you asking us to table the application until  
 16 such time as we receive the corrected information?

17 MR. RADABAUGH: Yes, sir, and we will act upon  
 18 their request at that time.

19 CHAIRMAN LAY: I need you to modify the motion to  
 20 make sure that we're tabling the action on this application  
 21 until we receive proof of a proper notification with proper  
 22 information to each owner that's required to be noticed.  
 23 Is that correct?

24 MR. RADABAUGH: That is correct, sir.

1           CHAIRMAN LAY: That is your motion?

2           MR. RADABAUGH: That is my motion.

3           MR. GUM:           And I'll second that motion.

4           CHAIRMAN LAY: We have a motion that's been  
5 properly seconded. Any further discussion. All those in  
6 favor of the motion aye.

7           COMMISSION:    Aye.

8           CHAIRMAN LAY: Opposed nay. Motion carried.  
9 Okay, anything further for the record? Okay, close the  
10 record.

11           (WHEREUPON, the proceeding was concluded.)

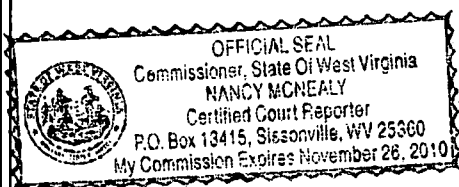
**REPORTER'S CERTIFICATE**

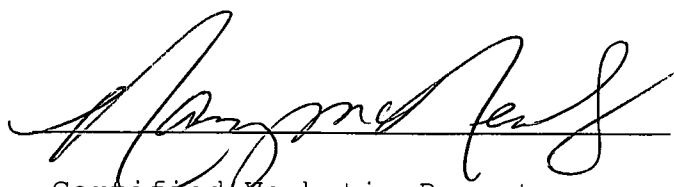
STATE OF WEST VIRGINIA,  
COUNTY OF KANAWHA, to wit:

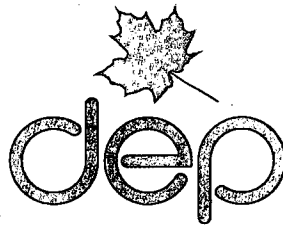
I, **NANCY MCNEALY**, Certified Verbatim Court Reporter and Commissioner of West Virginia, do hereby certify that the foregoing is, to the best of my skill and ability, a true and accurate transcript of all the proceedings as set forth in the caption hereof.

Given under my hand this 26th day of August, 2009.

My commission expires November 26, 2010.



  
Certified Verbatim Reporter  
Commissioner of West Virginia



west virginia department of environmental protection

Oil and Gas Conservation Commission  
601 57<sup>th</sup> Street, SE Charleston, WV 25304  
(304)926-0499, Ext 1656

Joe Manchin III, Governor  
Randy C. Huffman, Cabinet Secretary  
www.wvdep.org

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA**

IN THE MATTER OF THE REQUEST BY DOMINION  
EXPLORATION AND PRODUCTION, INC. FOR  
EXCEPTION LOCATIONS REGARDING THE DRILLING  
OF THE PROPOSED WELL NUMBERS 33910, 33914  
AND 34634 TO BE LOCATED IN PHILIPPI AND  
PLESANT DISTRICTS, BARBOUR COUNTY, WEST VIRGINIA.

**DOCKET NO. 202  
CAUSE NO. 195**

**NOTICE OF HEARING**

Dominion Exploration and Production, Inc. ("Dominion") has requested the Commission grant an exception to Rule 39.1.4.2 for the proposed well numbers 33910, 33914 and 34634 to be located in Barbour County, West Virginia. The proposed well locations do not meet the spacing requirements imposed on deep wells; therefore, Dominion has requested approval from the Commission for an exception to the rule as provided in 39.1.4.3.

The matter has been scheduled as stated below:

DATE: August 25, 2009

TIME: 10:00 am

PLACE: Department of Environmental Protection  
Oil and Gas Conservation Commission  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304

IN THE NAME OF THE STATE OF WEST VIRGINIA

OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA

By: Barry K. Lay  
Barry K. Lay, Chairman

Dated this 31<sup>st</sup> of July 2009, at Charleston, West Virginia.

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### Search Results

Label/Receipt Number: **9171 0821 3339 3615 6898 49**Class: **First-Class Mail®**Service(s): **Return Receipt Electronic**Status: **Delivered**

Your item was delivered at 7:50 AM on August 4, 2009 in JANE LEW, WV 26378.

#### Detailed Results:

- Delivered, August 04, 2009, 7:50 am, JANE LEW, WV 26378
- Notice Left, August 04, 2009, 7:34 am, JANE LEW, WV 26378
- Notice Left, August 04, 2009, 7:31 am, JANE LEW, WV 26378
- Arrival at Unit, August 04, 2009, 7:29 am, JANE LEW, WV 26378
- Electronic Shipping Info Received, August 03, 2009

### Notification Options

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Investigación y Desarrollo



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### Search Results

Label/Receipt Number: 9171 0821 3339 3615 6898 32

Class: First-Class Mail®

Service(s): Return Receipt Electronic

Status: Delivered

Your item was delivered at 8:46 AM on August 5, 2009 in PHILIPPI, WV 26416.

#### Detailed Results:

- Delivered, August 05, 2009, 8:46 am, PHILIPPI, WV 26416
- Notice Left, August 04, 2009, 10:26 am, PHILIPPI, WV 26416
- Electronic Shipping Info Received, August 03, 2009

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### Search Results

Label/Receipt Number: **9171 0821 3339 3615 6898 25**  
Class: **First-Class Mail®**  
Service(s): **Return Receipt Electronic**  
Status: **Delivered**

Your item was delivered at 9:14 AM on August 4, 2009 in SCOTT DEPOT, WV 25560.

#### Detailed Results:

- Delivered, August 04, 2009, 9:14 am, SCOTT DEPOT, WV 25560
- Notice Left, August 04, 2009, 8:52 am, SCOTT DEPOT, WV 25560
- Electronic Shipping Info Received, August 03, 2009

### Notification Options

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## Track & Confirm

### Search Results

Label/Receipt Number: **9171 0821 3339 3615 6898 18**Class: **First-Class Mail®**Service(s): **Return Receipt Electronic**Status: **Delivered**

Your item was delivered at 2:04 PM on August 4, 2009 in MOATSVILLE, WV 26405.

#### Detailed Results:

- Delivered, August 04, 2009, 2:04 pm, MOATSVILLE, WV 26405
- Arrival at Unit, August 04, 2009, 8:04 am, MOATSVILLE, WV 26405
- Electronic Shipping Info Received, August 03, 2009

### Notification Options

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## Track & Confirm

### Search Results

Label/Receipt Number: **9171 0821 3339 3615 6898 01**Class: **First-Class Mail®**Service(s): **Return Receipt Electronic**Status: **Electronic Shipping Info Received**

The U.S. Postal Service was electronically notified by the shipper on August 3, 2009 to expect your package for mailing. This does not indicate receipt by the USPS or the actual mailing date. Delivery status information will be provided if / when available. No further information is available for this item.

### Track & Confirm

Enter Label/Receipt Number.

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### Notification Options

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### Search Results

Label/Receipt Number: **9171 0821 3339 3615 6897 95**Class: **First-Class Mail®**Service(s): **Return Receipt Electronic**Status: **Delivered**

Your item was delivered at 4:42 PM on August 11, 2009 in  
CLARKSBURG, WV 26301.

#### Detailed Results:

- **Delivered, August 11, 2009, 4:42 pm, CLARKSBURG, WV 26301**
- **Notice Left, August 04, 2009, 8:50 am, CLARKSBURG, WV 26301**
- **Electronic Shipping Info Received, August 03, 2009**

### Notification Options

#### Track & Confirm by email

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### Search Results

Label/Receipt Number: **9171 0821 3339 3615 6897 88**Class: **First-Class Mail®**Service(s): **Return Receipt Electronic**Status: **Delivered**

Your item was delivered at 10:17 AM on August 5, 2009 in MILTON, WV 25541.

#### Detailed Results:

- Delivered, August 05, 2009, 10:17 am, MILTON, WV 25541
- Notice Left, August 04, 2009, 12:42 pm, MILTON, WV 25541
- Electronic Shipping Info Received, August 03, 2009

### Notification Options

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## Track & Confirm

### Search Results

Label/Receipt Number: 9171 0821 3339 3615 6897 71

Class: First-Class Mail®

Service(s): Return Receipt Electronic

Status: Delivered

Your item was delivered at 11:38 AM on August 5, 2009 in RICHFIELD, OH 44286.

#### Detailed Results:

- Delivered, August 05, 2009, 11:38 am, RICHFIELD, OH 44286
- Electronic Shipping Info Received, August 03, 2009

### Notification Options

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## Track & Confirm

### Search Results

Label/Receipt Number: **9171 0821 3339 3615 6897 64**  
Class: **First-Class Mail®**  
Service(s): **Return Receipt Electronic**  
Status: **Delivered**

Your item was delivered at 11:55 AM on August 10, 2009 in GAINESVILLE, TX 76240.

#### Detailed Results:

- Delivered, August 10, 2009, 11:55 am, GAINESVILLE, TX 76240
- Notice Left, August 05, 2009, 11:37 am, GAINESVILLE, TX 76240
- Electronic Shipping Info Received, August 03, 2009

### Notification Options

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## Track & Confirm

### Search Results

Label/Receipt Number: **9171 0821 3339 3615 6897 57**Class: **First-Class Mail®**Service(s): **Return Receipt Electronic**Status: **Delivered**Your item was delivered at 11:55 AM on August 10, 2009 in,  
GAINESVILLE, TX 76240.

#### Detailed Results:

- Delivered, August 10, 2009, 11:55 am, GAINESVILLE, TX 76240
- Notice Left, August 07, 2009, 11:27 am, GAINESVILLE, TX 76240
- Electronic Shipping Info Received, August 03, 2009

### Notification Options

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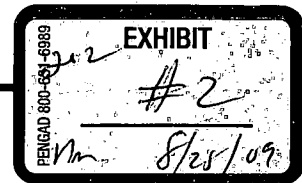
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Equal Opportunity  
Notice of NondiscriminationIntegrity  
Notice of Nondiscrimination

**Raines, Cindy J**



**From:** Raines, Cindy J  
**Sent:** Saturday, August 01, 2009 11:17 AM  
**To:** 'bardemocrat@bcnetmail.org'  
**Subject:** FW: Legal Ad - Docket 202-195  
**Attachments:** OGCC 202-195.doc

---

**From:** Raines, Cindy J  
**Sent:** Saturday, August 01, 2009 11:15 AM  
**To:** 'bardemocrat@benetmail.org'  
**Subject:** Legal Ad - Docket 202-195

Please print the attached as a Class II legal ad twice prior to 8/25 and sent invoice to:

Oil and Gas Conservation Commission  
Attention: Cindy Raines  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304

Also please provide confirmation of receipt of this request.

103073

STATE OF WEST VIRGINIA  
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
WELL WORK PERMIT APPLICATION

1) Well Operator Dominion Exploration & Production, Inc. 1 5 545  
Operator ID County District Quadrangle

2) Operators Well Number: 33910 3) Elevation: 1308'.01

4) Well Type: (a) Oil \_\_\_\_\_ or Gas X  
(b) If Gas: Production X / Underground Storage \_\_\_\_\_  
Deep X / Shallow \_\_\_\_\_

5) Proposed Target Formation(s): Marcellus

6) Proposed Total Depth: 7430' Feet

7) Approximate fresh water strata depths: 70', 240', 475'

8) Approximate salt water depths: 1050', 1330'

9) Approximate coal seam depths: 60', 90', 350'

10) Does land contain coal seams tributary to active mine? No

11) Describe proposed well work Drill new well and complete Marcellus Shale. Uphole zones will  
be completed at a later date. log the Onondaga +/- 80 feet.

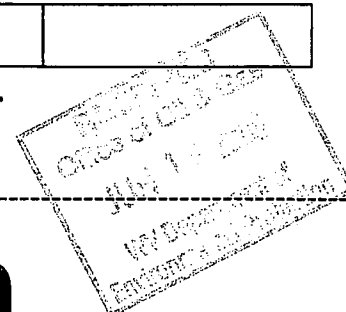
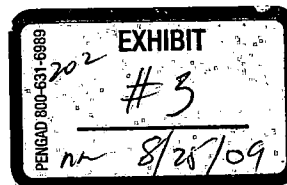
12) CASING AND TUBING PROGRAM

TYPE	SPECIFICATIONS			FOOTAGE INTERVALS		CEMENT
	Size	Grade	Weight per ft	For Drilling	Left in Well	Fill -up (Cu. Ft.)
Conductor	16"	LS	47	40'	40'	Sand In
Fresh Water	11 3/4"	LS	37	550'	550'	CTS
Coal						
Intermediate	8 5/8"	LS	23	1500'	1500'	CTS
Production	4 1/2"	P-110	11.6	7430'	7430'	200 cu ft
Tubing						
Liners						

Packers: Kind  
Sizes  
Depths Set

016246  
650

B.O.H.  
6-5-9



1) Date: April 21, 2009  
2) Operator's Well Number 33910

3) API Well No.: 47 - 001 - 03073  
State County Permit

**STATE OF WEST VIRGINIA - BUREAU OF ENVIRONMENT  
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
NOTICE AND APPLICATION FOR A WELL WORK PERMIT**

4) Surface Owner(s) to be served:

(a) Name Clare M. Abbott  
Address Rt. 1 Box 176  
Moatsville, WV 26405

(b) Name Anna J. Davis  
Address P.O. Box 112  
Volga, WV 26238

(c) Name \_\_\_\_\_  
Address \_\_\_\_\_

6) Inspector Bryan Harris  
Address P.O. Box 157  
Volga, WV 26238  
Telephone 304-553-6087

5) (a) Coal Operator

Name \_\_\_\_\_  
Address \_\_\_\_\_

(b) Coal Owner(s) with Declaration  
Name Dotson H. Cather, Trustee  
Address 315 Spring Ave.  
Clarksburg, WV 26301

Name Laura M. Goff Davis  
C/o Michale Hoeft  
Address Route 1 Box 605  
Milton, WV 25541

(c) Coal Lessee with Declaration  
Name Pristine Resources, Inc.  
Address 4020 Kinross Lake Parkway  
Richfield, OH 44286

**TO THE PERSONS NAMED ABOVE TAKE NOTICE THAT:**

Included is the lease or leases or other continuing contract or contracts by which I hold the right to extract oil and gas

OR

X Included is the information required by Chapter 22, Article 6, Section 8(d) of the Code of West Virginia (see page 2)

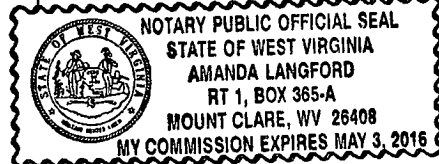
I certify that as required under Chapter 22-6 of the West Virginia Code I have served copies of this notice and application, a location plat, and accompanying documents pages 1 through \_\_\_\_ on the above named parties by:

- Personal Service (Affidavit attached)  
X        Certified Mail (Postmarked postal receipt attached)  
       Publication (Notice of Publication attached)

I have read and understand Chapter 22-6 and 35 CSR 4, and I agree to the terms and conditions of any permit issued under this application.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.



Well Operator Dominion Exploration & Production, Inc.  
By: Rodney J. Biggs  
Its: Designated Agent-Vice President-Operations  
Address P.O. Box 1248  
Jane Lew, WV 26378  
Telephone 304-884-2027 (Please contact Landman -Jeff Hosaflook)

Subscribed and sworn before me this 10th day of June, 2009

Amanda Langford  
My Commission Expires May 3, 2016

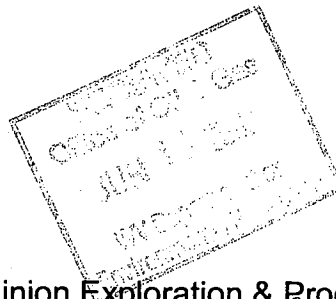
Notary Public

INFORMATION SUPPLIED UNDER WEST VIRGINIA CODE  
Chapter 22, Article 6, Section 8(d)  
IN LIEU OF FILING LEASE(S) AND OTHER CONTINUING CONTRACT(S)

Under the oath required to make the verification on page 1 of this Notice and Application, I depose and say that I am the person who signed the Notice and Application for the Applicant, and that -

- (1) the tract of land is the same tract described in this Application, partly or wholly depicted in the accompanying plat, and described in the Construction and Reclamation Plan;
- (2) the parties and recordation data (if recorded) for lease(s) or other continuing contract(s) by which the Applicant claims the right to extract, produce or market the oil or gas are as follows:

Grantor, lessor, etc.	Grantee, lessee, etc.	Royalty	Book/Page
Clinton Robinson, ET AL	Hope Natural Gas Co.	1/8	44/256



Well Operator: Dominion Exploration & Production, Inc.  
By: Rodney J. Biggs  
Its: Designated Agent-Vice President - Operations

1-86

West Virginia Division of Environmental Protection  
Office of Oil and Gas

## NOTICE TO SURFACE OWNERS

The well operator named below is preparing to file for a permit from the state to drill a new well. Before a well work permit can be filed with the Chief of the Office of Oil and Gas, the well operator is required to have given notice of the right to request water well or spring analytical testing. This notice shall be given to the owners or occupants of land which have a water well or spring being utilized for human consumption, domestic animals, or other general use and which is located within 1000 feet of the proposed well site.

With this form, the operator is giving you notice of your right to request analytical testing. The operator is required to sample and analyze the water wells or springs of all owners or occupants who request it. Therefore, if you wish to have your water well or spring tested, contact the operator named below.

All sampling shall be completed prior to drilling. Within thirty (30) days of the receipt of such sample analyses the operator shall submit the results to the Chief of the Office of Oil and Gas and to the owners or occupants who may have requested them.

If no water well or spring is located within 1000 feet, the Chief may require the operator to sample and analyze water from a water well or spring within 2000 feet of the proposed well site.

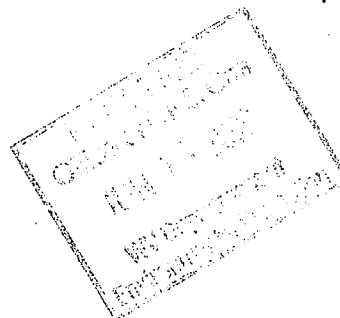
Be advised, you have the right to sample and analyze any water supply at your own expense.

The laboratory used by the operator to analyze the samples will be approved by the Chief. The operator named below has decided to use the following laboratory to analyze the water samples:

<u>X</u>	Contractor Name	<u>Reliance Laboratories, Inc., (304) 842-5285</u>
<u>      </u>	Well operator's private laboratory	<u>P.O. Box 4657, Bridgeport, WV 26330-4657</u>
	Well Operator	<u>Dominion Exploration &amp; Production, Inc.</u>
	Address	<u>P.O. 1248</u>
		<u>Jane Lew, WV 26378</u>
	Telephone	<u>304-884-2000</u>

FOR OPERATOR'S USE ONLY: Below, or on an attached page, list those persons which were given this notice. Place an asterisk beside the one(s) that contacted you and requested sampling and analyses. If there were no requests made, indicate by underling which one you have selected to sample and analyze. If there are no water wells or springs within 1000 feet of the proposed site please indicate such.

NONE



DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
CONSTRUCTION AND RECLAMATION PLAN AND SITE REGISTRATION APPLICATION FORM  
GENERAL PERMIT FOR OIL AND GAS PIT WASTE DISCHARGE

API NUMBER 47- 001 - 03073

Operator's Well No. 33910

Operator Name DOMINION EXPLORATION & PRODUCTION, INC. OP ID \_\_\_\_\_

Watershed TYGART VALLEY RIVER Quadrangle PHILIPPI

Elevation 1308.01' County BARBOUR District PHILIPPI

Description of anticipated Pit Waste: FLUIDS ASSOCIATED WITH THE DRILLING OF NEW GAS WELLS

Will a synthetic line be used in the pit? YES

Proposed Disposal Method For Treated Pit Wastes:

- X Land Application  
\_\_\_\_ Underground Injection (UIC Permit Number \_\_\_\_\_)  
\_\_\_\_ Reuse (at API Number \_\_\_\_\_)  
\_\_\_\_ Off Site Disposal (Supply for WW-9 for disposal location)  
\_\_\_\_ Other (Explain) \_\_\_\_\_

Proposed Work For Which Pit Will Be Used:

- X Drilling \_\_\_\_\_ Swabbing  
\_\_\_\_ Workover \_\_\_\_\_ Plugging  
\_\_\_\_ Other (Explain) \_\_\_\_\_

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on June 14, 1994, by the Office of Oil and Gas of the West Virginia Division of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or other applicable law or regulation can lead to enforcement action.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

Company Official Signature RODNEY J. BIGGS *Rod Biggs* *J. H.*

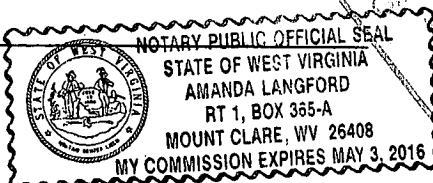
Company Official (Typed Name) RODNEY J. BIGGS

Company Official Title VICE PRESIDENT OF OPERATIONS

Subscribed and sworn before me this 16th day of June, 20 09

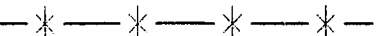


Notary Public

My commission expires May 3, 2016



1-03073

## LEGEND

Property Boundary Road Existing Fence Planned Fence Stream Open Ditch Rock North Water wells Drill Site Diversion Spring Wet Spot Drain Pipe with size in inches Waterway Cross Drain Artificial Filter Strip Pit: cut walls Pit: compacted fill walls Area for Land Application of Pit Waste Proposed Revegetation Treatment: Acres Disturbed 2.50 Prevegetation pH \_\_\_\_\_Lime according to pH test Tons/acre or correct to pH 6.5Fertilizer (10-20-20 or equivalent) 500 lbs/acre (500 lbs minimum)Mulch HAY OR STRAW 2 Tons/acre

## Seed Mixtures

## Area I

Seed Type	lbs/acre
ORCHARDGRASS	25
BIRDSFOOT TREFOIL	15
LADINO CLOVER	10

## Area II

Seed Type	lbs/acre
ORCHARDGRASS	25
BIRDSFOOT TREFOIL	15
LADINO CLOVER	10

Attach:

Drawing(s) of road, location, pit and proposed area for land application.

Photocopied section of involved 7.5' topographic sheet.

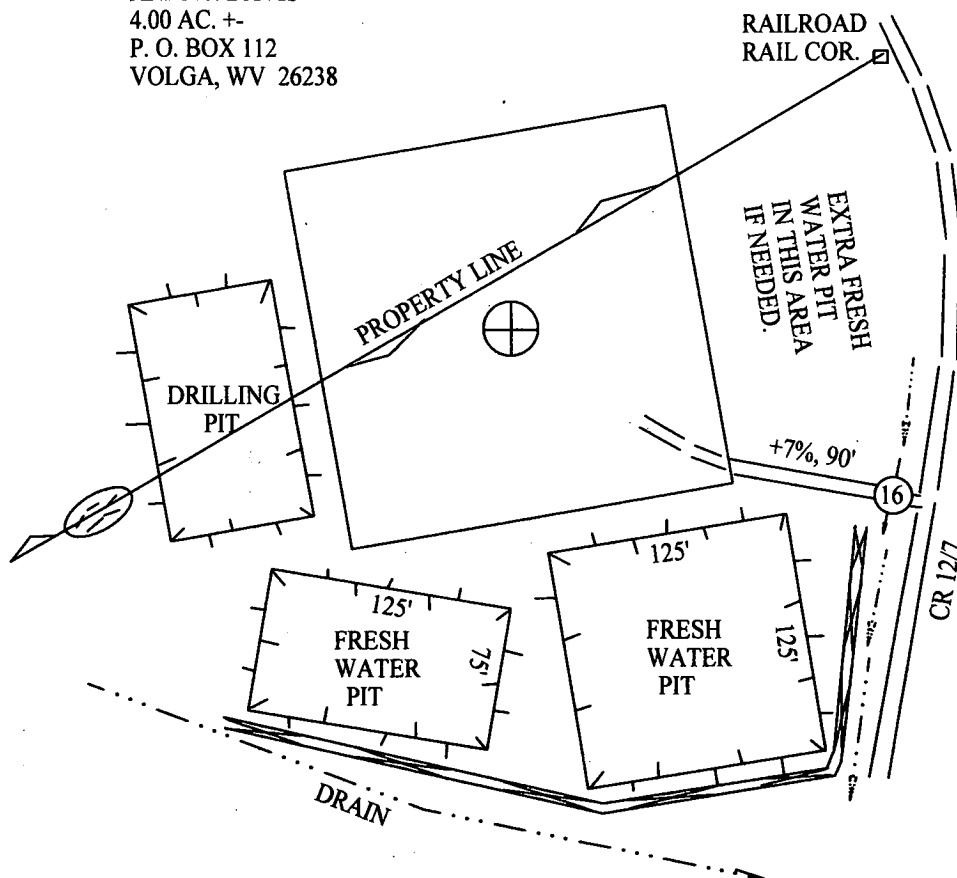
Plan Approved by: Bryan O'HanTitle: \_\_\_\_\_ Date: 6-5-9

Field Reviewed? ( ) Yes ( ) No



1-03073

TM 3, PAR. 3.1  
ANNA J. DAVIS  
4.00 AC. +/-  
P. O. BOX 112  
VOLGA, WV 26238



TM 3, PAR. 3  
CLARE M ABBOTT  
64.14 AC. +/-  
RT. 1, BOX 176  
MOATSVILLE, WV 26405

B.O.A.  
6-5-9

LOCATION IS IN AN OVERGROWN FIELD.  
USABLE TIMBER WILL BE CUT AND STACKED.  
TOPSOIL WILL BE STOCKPILED FOR USE IN  
REVEGETATION.

ACCESS ROAD LEAVES CR 12/7 AND RUNS A  
SHORT DISTANCE THROUGH THE BRUSH  
TO THE SITE. ROCK WILL BE USED ON ROAD  
AND WHERE NECESSARY.

LAND SURVEYING SERVICES  
21 CEDAR LANE  
BRIDGEPORT, WV 26330  
PHONE: 304-842-2018 OR 5762

DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

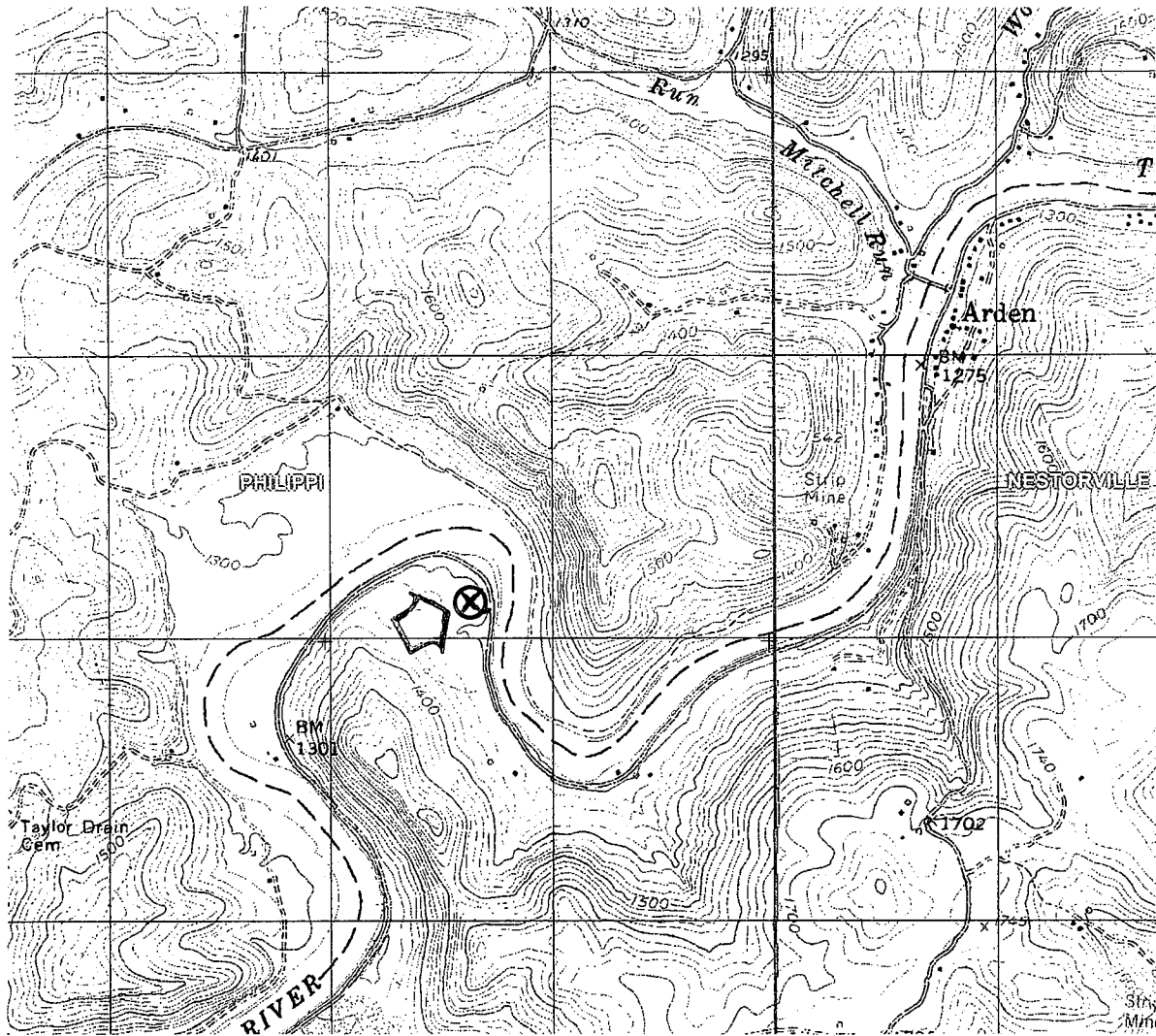
JANE LEW, WV 26378

WATERSHED: TYGART VALLEY RIVER

DISTRICT: PHILIPPI COUNTY: BARBOUR

QUADRANGLE: PHILIPPI WELL NO.: 33910

DATE: 04/18/09 PAGE of



DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

JANE LEW, WV 26378

WATERSHED: TYGART VALLEY RIVER

DISTRICT: PHILIPPI COUNTY: BARBOUR

QUADRANGLE: PHILIPPI WELL NO.: 33910

DATE: 04/18/09 PAGE \_\_\_\_ of \_\_\_\_

LAND SURVEYING SERVICES  
21 CEDAR LANE  
BRIDGEPORT, WV 26330  
PHONE: 304-842-2018 OR 5762

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Total Postage & Fees Pristine Resources, Inc. 4020 Kinross Lake Parkway Richfield, OH 44286	
33910	

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Anna J. Davis P.O. Box 112 Volga, WV 26238	
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Dotson H. Cather, Trustee 315 Spring Ave. Clarksburg, WV 26301	
33910	



**west virginia department of environmental protection**

Office of Oil and Gas  
601 57th Street SE  
Charleston, WV 25304  
(304) 926-0450  
(304) 926-0452 fax

Joe Manchin III, Governor  
Randy C. Huffman, Cabinet Secretary  
www.wvdep.org

July 07, 2009

**WELL WORK PERMIT**

**New Well**

This permit, API Well Number: 47-103073, issued to DOMINION EXPLORATION & PRODUCTION INC, is evidence of permission granted to perform the specified well work at the location described on the attached pages and located on the attached plat, subject to the provisions of Chapter 22 of the West Virginia Code of 1981, as amended, and all rules and regulations promulgated thereunder, and to all conditions and provisions outlined in the pages attached hereto. Notification shall be given by the operator to the Oil and Gas Inspector at least 24 hours prior to the construction of roads, locations, and/or pits for any permitted work. In addition, the well operator shall notify the same inspector 24 hours before any actual well work is commenced and prior to running and cementing casing. Spills or emergency discharges must be promptly reported by the operator to 1-800-642-3074 and to the Oil and Gas inspector.

Please be advised that form WR-35, well operators report of well work, is to be submitted to this office within 90 days of completion of drilling, as should form WR-34 Discharge Monitoring Report within 30 days of discharge of pits, if applicable. Failure to abide by all statutory and regulatory provisions governing all duties and operations hereunder may result in suspension or revocation of this permit and, in addition may result in civil and/or criminal penalties being imposed upon the operators.

Per 35CSR-4-5.2.g this permit will expire in two (2) years from the issue date unless permitted well work is commenced. If there are any questions, please feel free to contact me at (304) 926-0499 ext. 1654.

*To be permitted as deep per reg / Amanda 7/9/09*

  
James Martin  
Chief

Operator's Well No: 33910

Farm Name: ABBOTT, CLARE M

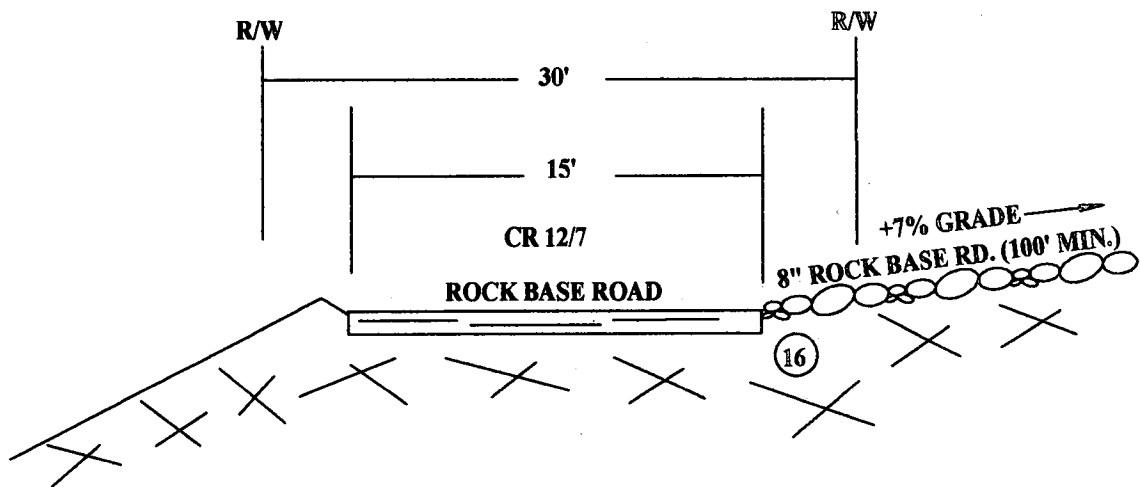
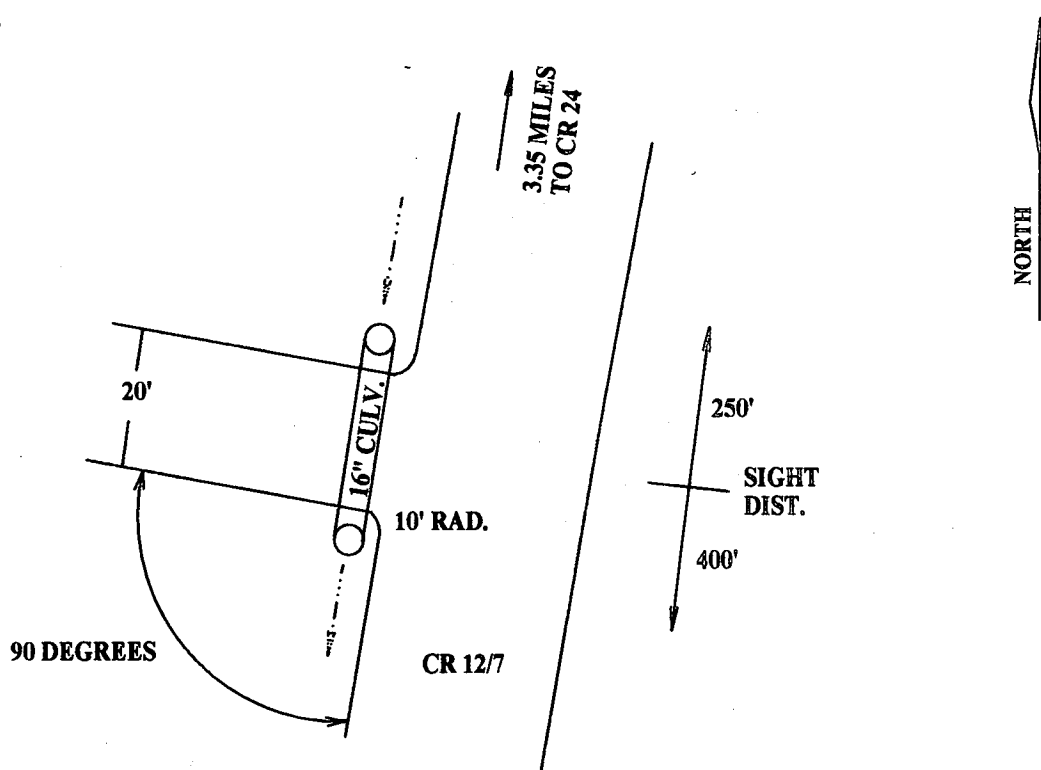
API Well Number: 47-103073

Permit Type: New Well

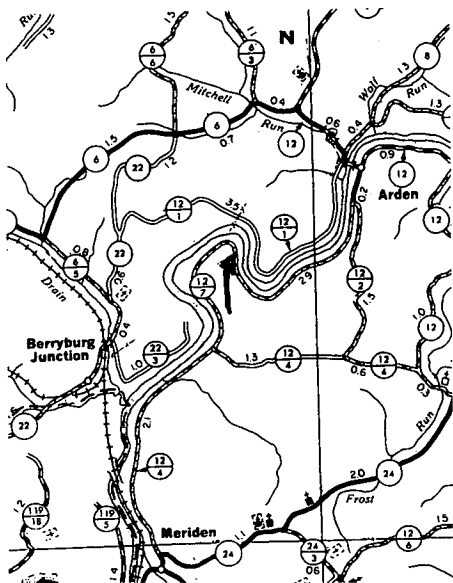
Date Issued: 07/07/2009

**Promoting a healthy environment.**

PLAN VIEW NOT TO SCALE.



SECTION NOT TO SCALE.



ALL WORK WILL CONFORM TO WV DOH RULES AND REGULATIONS.

Prepared by:

LAND SURVEYING SERVICES  
21 CEDAR LANE  
BRIDGEPORT, WV 26330  
PHONE: 304-842-2018

DOMINION EXPLORATION & PRODUCTION, INC.  
P. O. BOX 1248  
JANE LEW, WV 26378

PLAT SHOWING PROPOSED ACCESS  
ROAD ENTRY ONTO COUNTY ROUTE 12/7

DISTRICT  
PHILIPPI

COUNTY  
BARBOUR

STATE  
WV

DATE  
04/18/09

SCALE  
N/A

DWG. NO.  
33910



1-03072

STATE OF WEST VIRGINIA  
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
WELL WORK PERMIT APPLICATION

1) Well Operator Dominion Exploration & Production, Inc. Barbour Pleasant Philippi  
Operator ID County District Quadrangle

2) Operators Well Number: 33914 3) Elevation: 1295.93'

4) Well Type: (a) Oil      or Gas X  
(b) If Gas: Production X /      Underground Storage       
Deep X /      Shallow     

5) Proposed Target Formation(s): Marcellus

6) Proposed Total Depth: 7380' Feet

7) Approximate fresh water strata depths: 40', 95', 285'

8) Approximate salt water depths: 1335'

9) Approximate coal seam depths: 35'

10) Does land contain coal seams tributary to active mine? No

11) Describe proposed well work Drill new well and complete Marcellus Shale. Uphole zones will be completed at a later date.

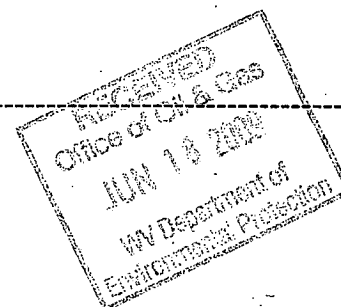
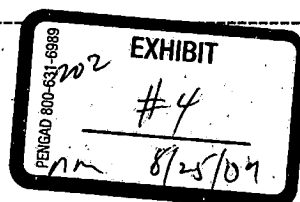
12) CASING AND TUBING PROGRAM

TYPE	SPECIFICATIONS			FOOTAGE INTERVALS		CEMENT
	Size	Grade	Weight per ft	For Drilling	Left in Well	Fill -up (Cu. Ft.)
Conductor	16"	LS	42	40'	40'	Sand In
Fresh Water	11 3/4"	LS	37	350'	350'	CTS
Coal						
Intermediate	8 5/8"	LS	23	1500'	1500'	CTS
Production	4 1/2"	P-110	11.6	7380'	7380'	200 cu ft
Tubing						
Liners						

Packers: Kind  
Sizes  
Depths Set

B.O.H.  
6-5-9

016245  
900



1) Date: April 21, 2009  
2) Operator's Well Number 33914

3) API Well No.: 47 - State 001 - County 03072 - Permit

**STATE OF WEST VIRGINIA - BUREAU OF ENVIRONMENT  
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
NOTICE AND APPLICATION FOR A WELL WORK PERMIT**

4) Surface Owner(s) to be served:

(a) Name Gary McCauley  
Address RR 3 Box 19A  
Philippi, WV 26416

(b) Name  
Address

(c) Name  
Address

6) Inspector Bryan Harris  
Address P.O. Box 157  
Volga, WV 26238  
Telephone 304-553-6087

5) (a) Coal Operator

Name  
Address

(b) Coal Owner(s) with Declaration

Name CoalQuest Development, LLC.  
Address 300 Corporate Center Drive  
Scott Depot, WV 25560

Name  
Address

(c) Coal Lessee with Declaration

Name  
Address

**TO THE PERSONS NAMED ABOVE TAKE NOTICE THAT:**

Included is the lease or leases or other continuing contract or contracts by which I hold the right to extract oil and gas

OR

X Included is the information required by Chapter 22, Article 6, Section 8(d) of the Code of West Virginia (see page 2)

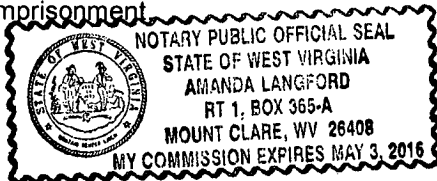
I certify that as required under Chapter 22-6 of the West Virginia Code I have served copies of this notice and application, a location plat, and accompanying documents pages 1 through \_\_\_ on the above named parties by:

- Personal Service (Affidavit attached)  
X Certified Mail (Postmarked postal receipt attached)  
       Publication (Notice of Publication attached)

I have read and understand Chapter 22-6 and 35.CSR 4, and I agree to the terms and conditions of any permit issued under this application.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.



Well Operator

By:

Its:

Address

Telephone

Dominion Exploration & Production, Inc.

Rodney J. Biggs

Designated Agent-Vice President - Operations

P.O. Box 1248

Jane Lew, WV 26378

304-884-2027 (Please contact Landman -Jeff Hosaflook)

Subscribed and sworn before me this 16th day of June, 2009

My Commission Expires May 3, 2016

Notary Public

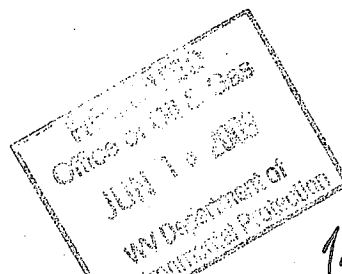


INFORMATION SUPPLIED UNDER WEST VIRGINIA CODE  
Chapter 22, Article 6, Section 8(d)  
IN LIEU OF FILING LEASE(S) AND OTHER CONTINUING CONTRACT(S)

Under the oath required to make the verification on page 1 of this Notice and Application, I depose and say that I am the person who signed the Notice and Application for the Applicant, and that –

- (1) the tract of land is the same tract described in this Application, partly or wholly depicted in the accompanying plat, and described in the Construction and Reclamation Plan;
- (2) the parties and recordation data (if recorded) for lease(s) or other continuing contract(s) by which the Applicant claims the right to extract, produce or market the oil or gas are as follows:

Grantor, lessor, etc.	Grantee, lessee, etc.	Royalty	Book/Page
United States Steel Corp.	Consolidated Gas Supply	1/8	62/487



Well Operator: Dominion Exploration & Production, Inc.  
By: Rodney J. Biggs  
Its: Designated Agent-Vice President - Operations

West Virginia Division of Environmental Protection  
Office of Oil and Gas

## NOTICE TO SURFACE OWNERS

The well operator named below is preparing to file for a permit from the state to drill a new well. Before a well work permit can be filed with the Chief of the Office of Oil and Gas, the well operator is required to have given notice of the right to request water well or spring analytical testing. This notice shall be given to the owners or occupants of land which have a water well or spring being utilized for human consumption, domestic animals, or other general use and which is located within 1000 feet of the proposed well site.

With this form, the operator is giving you notice of your right to request analytical testing. The operator is required to sample and analyze the water wells or springs of all owners or occupants who request it. Therefore, if you wish to have your water well or spring tested, contact the operator named below.

All sampling shall be completed prior to drilling. Within thirty (30) days of the receipt of such sample analyses the operator shall submit the results to the Chief of the Office of Oil and Gas and to the owners or occupants who may have requested them.

If no water well or spring is located within 1000 feet, the Chief may require the operator to sample and analyze water from a water well or spring within 2000 feet of the proposed well site.

Be advised, you have the right to sample and analyze any water supply at your own expense.

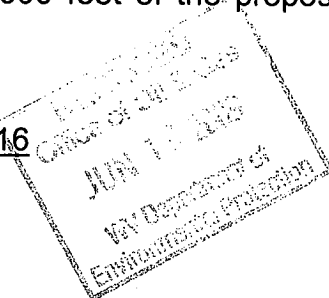
The laboratory used by the operator to analyze the samples will be approved by the Chief. The operator named below has decided to use the following laboratory to analyze the water samples:

<u>  X  </u>	Contractor Name	<u>Reliance Laboratories, Inc., (304) 842-5285</u>
<u>      </u>	Well operator's private laboratory	<u>P.O. Box 4657, Bridgeport, WV 26330-4657</u>

Well Operator	<u>Dominion Exploration &amp; Production, Inc.</u>
Address	<u>P.O. 1248</u>
	<u>Jane Lew, WV 26378</u>
Telephone	<u>304-884-2000</u>

FOR OPERATOR'S USE ONLY: Below, or on an attached page, list those persons which were given this notice. Place an asterisk beside the one(s) that contacted you and requested sampling and analyses. If there were no requests made, indicate by underling which one you have selected to sample and analyze. If there are no water wells or springs within 1000 feet of the proposed site please indicate such.

<u>Gary McCauley</u>	<u>RR3 Box 195 A</u>	<u>Philippi, WV 26416</u>
----------------------	----------------------	---------------------------



DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
CONSTRUCTION AND RECLAMATION PLAN AND SITE REGISTRATION APPLICATION FORM  
GENERAL PERMIT FOR OIL AND GAS PIT WASTE DISCHARGE

API NUMBER 47- 001 - 03072  
Operator's Well No. 33914

Operator Name DOMINION EXPLORATION & PRODUCTION, INC. OP ID \_\_\_\_\_

Watershed TYGART VALLEY RIVER Quadrangle PHILIPPI

Elevation 1295.93' County BARBOUR District PLEASANT

Description of anticipated Pit Waste: FLUIDS ASSOCIATED WITH THE DRILLING OF NEW GAS WELLS

Will a synthetic line be used in the pit? YES

Proposed Disposal Method For Treated Pit Wastes:

X Land Application  
\_\_\_\_ Underground Injection (UIC Permit Number \_\_\_\_\_)  
\_\_\_\_ Reuse (at API Number \_\_\_\_\_)  
\_\_\_\_ Off Site Disposal (Supply for WW-9 for disposal location)  
\_\_\_\_ Other (Explain) \_\_\_\_\_

Proposed Work For Which Pit Will Be Used:

X Drilling \_\_\_\_\_ Swabbing  
\_\_\_\_ Workover \_\_\_\_\_ Plugging  
\_\_\_\_ Other (Explain) \_\_\_\_\_

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on June 14, 1994, by the Office of Oil and Gas of the West Virginia Division of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or other applicable law or regulation can lead to enforcement action.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

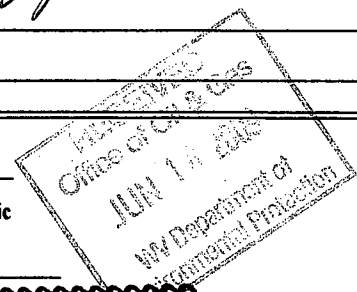
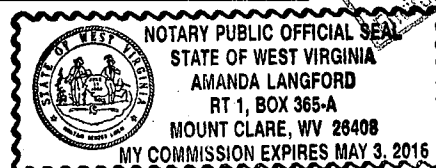
Company Official Signature RODNEY J. BIGGS *Rd Biggs* *AH*

Company Official (Typed Name) RODNEY J. BIGGS

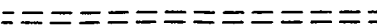
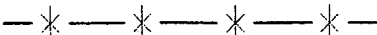



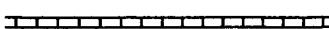
Company Official Title VICE PRESIDENT OF OPERATIONS

Subscribed and sworn before me this 16<sup>th</sup> day of June, 20 09  
*Amanda Langford* Notary Public

My commission expires May 3, 2016



## LEGEND

Property Boundary Road Existing Fence Planned Fence Stream Open Ditch Rock North Water wells Drill Site Diversion Spring Wet Spot Drain Pipe with size in inches Waterway Cross Drain Artificial Filter Strip Pit: cut walls Pit: compacted fill walls Area for Land Application of Pit Waste Proposed Revegetation Treatment: Acres Disturbed 2.50 Prevegetation pH \_\_\_\_\_Lime according to pH test Tons/acre or correct to pH 6.5Fertilizer (10-20-20 or equivalent) 500 lbs/acre (500 lbs minimum)Mulch HAY OR STRAW 2 Tons/acre

## Seed Mixtures

## Area I

Seed Type	lbs/acre
ORCHARDGRASS	25
BIRDSFOOT TREFOIL	15
LADINO CLOVER	10

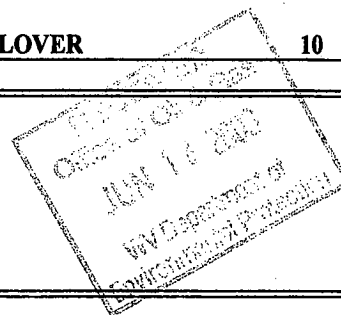
## Area II

Seed Type	lbs/acre
ORCHARDGRASS	25
BIRDSFOOT TREFOIL	15
LADINO CLOVER	10

## Attach:

Drawing(s) of road, location, pit and proposed area for land application.

Photocopied section of involved 7.5' topographic sheet.

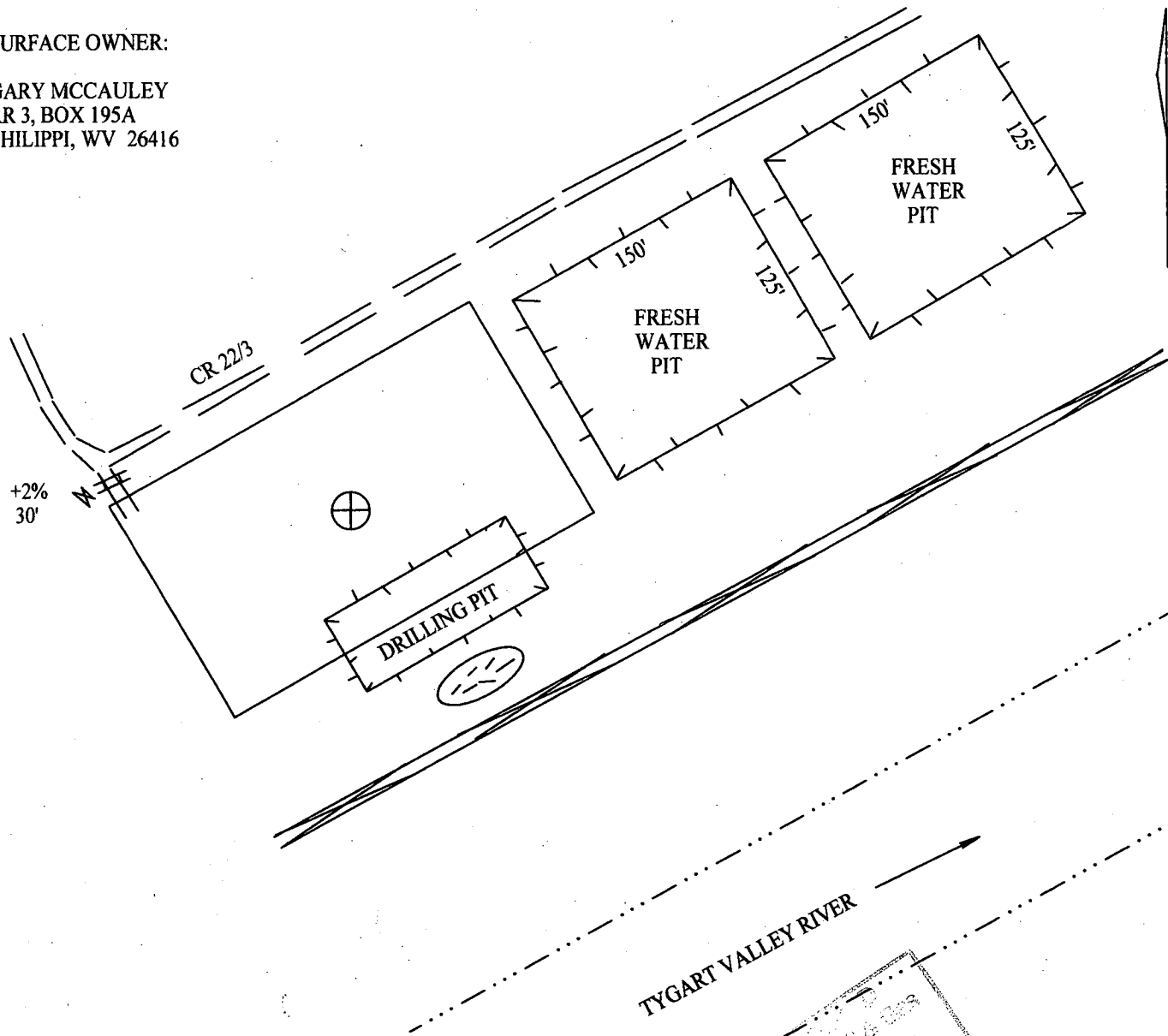
Plan Approved by: Bryan O'HarrisTitle: \_\_\_\_\_ Date: 6-5-9

Field Reviewed? ( ) Yes ( ) No

1-03072

**SURFACE OWNER:**

GARY MCCAULEY  
RR 3, BOX 195A  
PHILIPPI, WV 26416



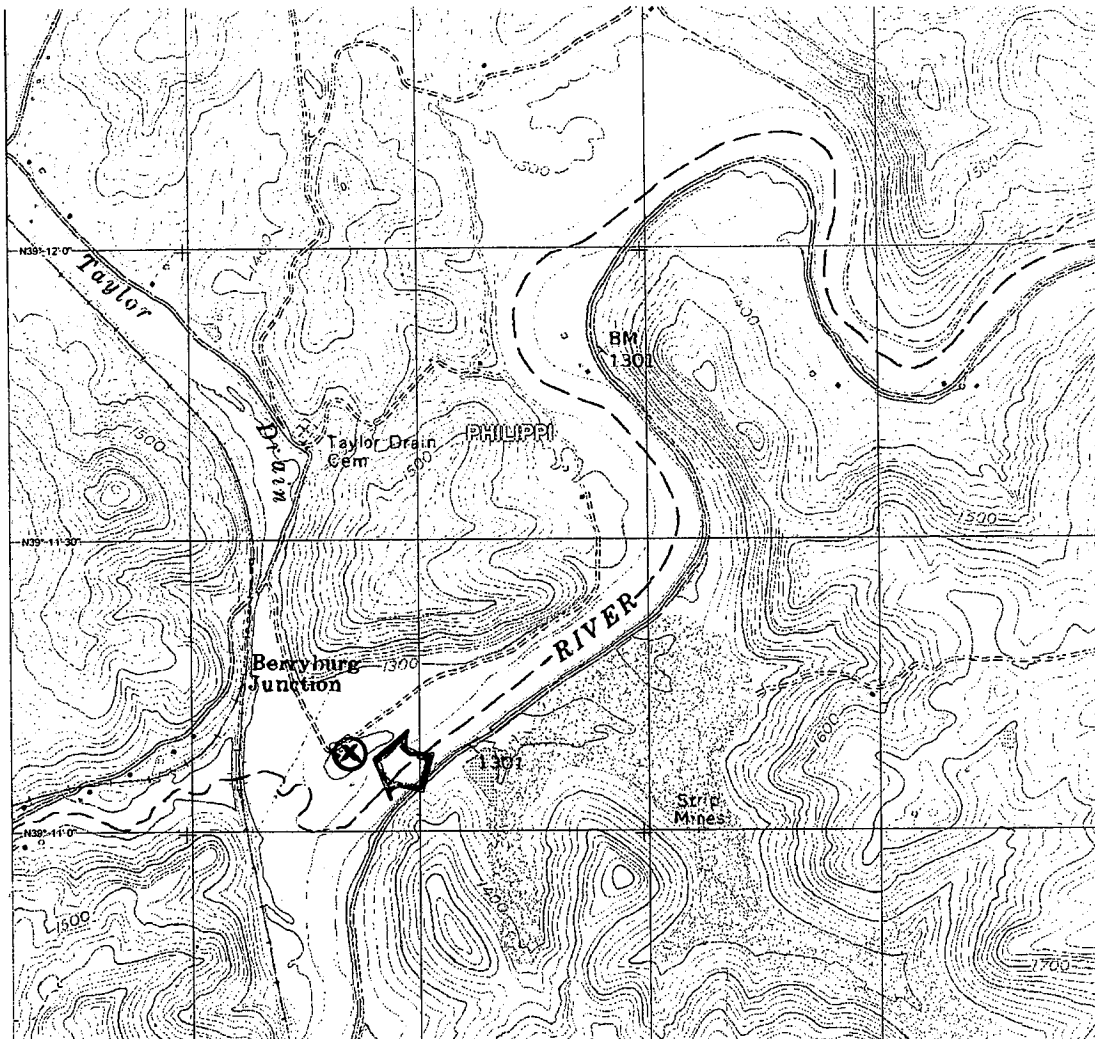
LOCATION IS IN A FIELD. USABLE TIMBER  
WILL BE CUT AND STACKED. TOPSOIL WILL  
BE STOCKPILED FOR USE IN REVEGETATION.

ACCESS ROAD LEAVES CR 22/3 AND GOES  
ALMOST IMMEDIATELY ONTO THE WELL  
PAD. ROCK WILL BE USED WHERE NECESSARY.

LAND SURVEYING SERVICES  
21 CEDAR LANE  
BRIDGEPORT, WV 26330  
PHONE: 304-842-2018 OR 5762

DRAWINGS TO ACCOMPANY FORM WW-9	
DOMINION EXPLORATION & PRODUCTION, INC.	
P. O. BOX 1248	
JANE LEW, WV 26378	
WATERSHED:	TYGART VALLEY RIVER
DISTRICT:	PLEASANT
COUNTY:	BARBOUR
QUADRANGLE:	PHILIPPI
WELL NO.:	33914
DATE:	04/18/09
PAGE	of

1-03072



DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

JANE LEW, WV 26378

WATERSHED: TYGART VALLEY RIVER

DISTRICT: PLEASANT COUNTY: BARBOUR

QUADRANGLE: PHILIPPI WELL NO.: 33914

DATE: 04/18/09 PAGE \_\_\_\_ of \_\_\_\_

LAND SURVEYING SERVICES  
21 CEDAR LANE  
BRIDGEPORT, WV 26330  
PHONE: 304-842-2018 OR 5762

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CoalQuest Development, LLC.  
300 Corporate Center Drive  
Scott Depot, WV 25560

33914

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Gary McCauley  
RR 3 Box 19A  
Philippi, WV 26416

33914

## WELL REFERENCES:

S50-00W, 179.50' TO 6" SYCAMORE  
N62-00W, 135.50' TO 13" CHERRY

Id	Bearing	Distance
L1	S 28°00'00" W	145.00'
L2	S 16°30'00" W	70.00'
L3	S 15°35'00" W	244.00'
L4	S 42°30'00" E	132.00'
L5	S 19°45'00" W	61.00'
L6	S 49°15'00" W	182.00'
L7	S 40°00'00" W	293.00'
L8	S 61°15'00" E	240.00'
L9	N 64°30'00" E	317.00'
L10	N 53°00'00" E	265.00'
L11	N 67°55'00" W	133.00'

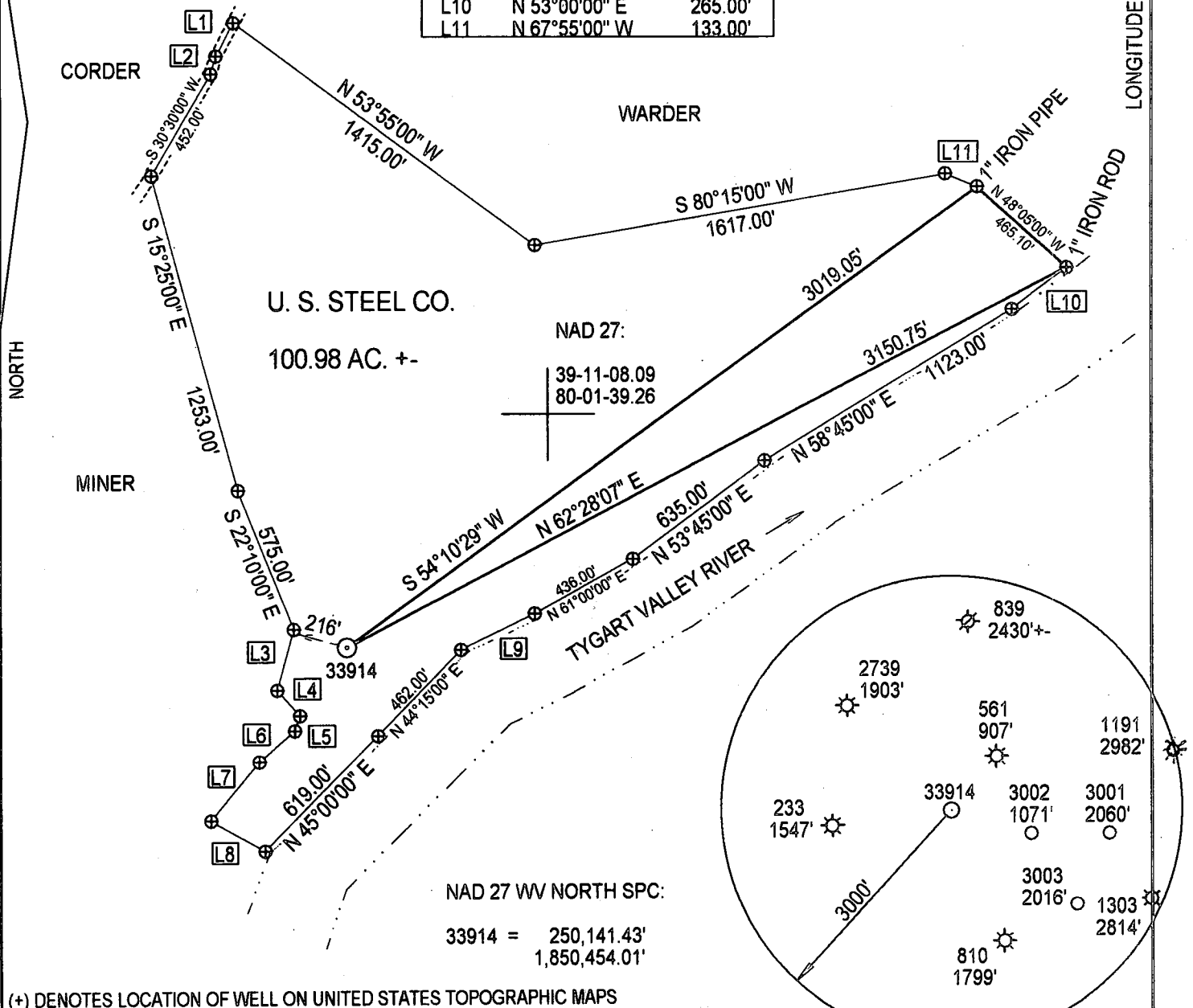
LATITUDE

39-12-30

SCALED COOR.:

7,820' WEST  
8,290' SOUTH

LONGITUDE 80-00-00



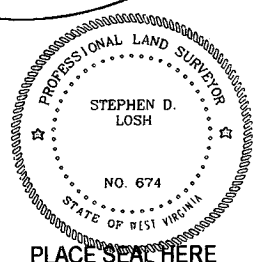
(+ ) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS

FILE NUMBER: \_\_\_\_\_  
DRAWING NUMBER: DEP33914R.PCS  
SCALE: 1" = 600'  
MINIMUM DEGREE OF ACCURACY: SUBMETER  
PROVEN SOURCE OF ELEVATION: DGPS SURVEY  
SUBMETER SYSTEM

I THE UNDERSIGNED, HEREBY STATE THAT THIS PLAT IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND PRESCRIBED BY THE DEPARTMENT OF ENERGY.

(SIGNED)

STEPHEN D. LOSH, P.S. #674



STATE OF WEST VIRGINIA  
DIVISION OF ENVIRONMENTAL PROTECTION  
OFFICE OF OIL AND GAS  
#10 McJUNKIN ROAD  
NITRO, WV 25143-2506  
FORM WW-6

LAND SURVEYING SERVICES  
21 CEDAR LANE, BRIDGEPORT, WV 26330  
PHONE: 304-842-2018 OR 842-5762

DATE: APRIL 18, 2009OPERATORS WELL NO.: 33914

API WELL NO.

47 - 001 - 03072  
STATE COUNTY PERMIT

LOCATION: ELEVATION 1295.93' WATERSHED TYGART VALLEY RIVERDISTRICT PLEASANT COUNTY BARBOURQUADRANGLE PHILIPPI LEASE NUMBER 077232SURFACE OWNER GARY MCCAULEY ACREAGE 106.00 (19-12)OIL & GAS ROYALTY OWNER U. S. STEEL CO. LEASE ACREAGE 100.98

PROPOSED WORK: DRILL ☒ CONVERT ☐ DRILL DEEPER ☐ REDRILL ☐ FRACTURE OR STIMULATE ☐ PLUG OFF OLD FORMATION ☐  
PERFORATE NEW FORMATION ☐ OTHER PHYSICAL CHANGE (SPECIFY) \_\_\_\_\_

TARGET FORMATION \_\_\_\_\_ PLUG & ABANDON ☐ CLEAN OUT & REPLUG ☐  
ESTIMATED DEPTH \_\_\_\_\_

WELL OPERATOR DOMINION EXPLORATION & PRODUCTION, INC. DESIGNATED AGENT RODNEY BIGGSADDRESS P. O. BOX 1248 JANE LEW, WV 26378 ADDRESS P. O. BOX 1248 JANE LEW, WV 26378



1-03074

STATE OF WEST VIRGINIA  
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
WELL WORK PERMIT APPLICATION

1) Well Operator Dominion Exploration & Production, Inc. Operator ID County Barbour District Pleasant Quadrangle Philippi

2) Operators Well Number: 34634 3) Elevation: 545

4) Well Type: (a) Oil          or Gas X  
(b) If Gas: Production X /          Underground Storage           
Deep X /          Shallow         

5) Proposed Target Formation(s): Marcellus

6) Proposed Total Depth: 7420' Feet

7) Approximate fresh water strata depths: 30', 80', 200', 350'

8) Approximate salt water depths: None

9) Approximate coal seam depths: 80'

10) Does land contain coal seams tributary to active mine? No

11) Describe proposed well work Drill new well and complete Marcellus Shale. Uphole zones will be completed at a later date. log the Onondaga +/- 80 feet.

12) CASING AND TUBING PROGRAM

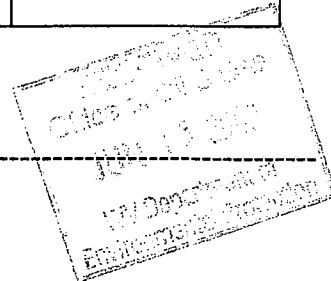
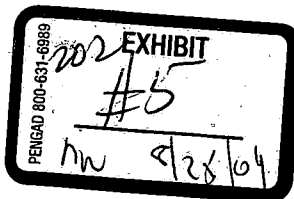
TYPE	SPECIFICATIONS			FOOTAGE INTERVALS		CEMENT
	Size	Grade	Weight per ft	For Drilling	Left in Well	Fill -up (Cu. Ft.)
Conductor	16"	LS	47	40'	40'	Sand In
Fresh Water	11 3/4"	LS	37	400'	400'	CTS
Coal						
Intermediate	8 5/8"	LS	23	1500'	1500'	CTS
Production	4 1/2"	P-110	11.6	7420'	7420'	200 cu ft
Tubing						
Liners						

Packers: Kind  
Sizes  
Depths Set

016246

B.O.H.  
6-5-9

650





**west virginia department of environmental protection**

Office of Oil and Gas  
601 57th Street SE  
Charleston, WV 25304  
(304) 926-0450  
(304) 926-0452 fax

Joe Manchin III, Governor  
Randy C. Huffman, Cabinet Secretary  
[www.wvdep.org](http://www.wvdep.org)

July 07, 2009


**WELL WORK PERMIT**

**New Well**

This permit, API Well Number: 47-103074, issued to DOMINION EXPLORATION & PRODUCTION INC, is evidence of permission granted to perform the specified well work at the location described on the attached pages and located on the attached plat, subject to the provisions of Chapter 22 of the West Virginia Code of 1931, as amended, and all rules and regulations promulgated thereunder, and to all conditions and provisions outlined in the pages attached hereto. Notification shall be given by the operator to the Oil and Gas Inspector at least 24 hours prior to the construction of roads, locations, and/or pits for any permitted work. In addition, the well operator shall notify the same inspector 24 hours before any actual well work is commenced and prior to running and cementing casing. Spills or emergency discharges must be promptly reported by the operator to 1-800-642-0074 and to the Oil and Gas inspector.

Please be advised that form WR-35, well operators report of well work is to be submitted to this office within 90 days of completion of drilling, as should form WR-34 Discharge Monitoring Report within 30 days of discharge of pits, if applicable. Failure to abide by all statutory and regulatory provisions governing all duties and operations hereunder may result in suspension or revocation of this permit and, in addition, may result in civil and/or criminal penalties being imposed upon the operator.

Per 35CSR-4.5.2.g this permit will expire in two (2) years from the issue date unless permitted well work is commenced. If there are any questions, please feel free to contact me at (304) 926-0499 ext. 674.

  
James Martin  
Chief

Operator's Well No: 34634

Farm Name: WARDER, MARY MORRIS

API Well Number: 47-103074

Permit Type: New Well

Date Issued: 07/07/2009

**Promoting a healthy environment.**

*TO BE SUBMITTED PERMITS DEPT per Greg & Amanda 7/12/09*

1) Date: April 21, 2009  
2) Operator's Well Number 34634

3) API Well No.: 47 - 001 - 03074  
State County Permit

**STATE OF WEST VIRGINIA - BUREAU OF ENVIRONMENT  
DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
NOTICE AND APPLICATION FOR A WELL WORK PERMIT**

4) Surface Owner(s) to be served:

(a) Name Mary Morris Warder

Address 303 Shoreline  
Gainsville, TX 76240

(b) Name Oran Lee Warden

Address 1820 Kessler Prky  
Dallas TX, 75208

(c) Name \_\_\_\_\_

Address \_\_\_\_\_

6) Inspector Bryan Harris

Address P.O. Box 157

Volga, WV 26238

Telephone 304-553-6087

5) (a) Coal Operator

Name \_\_\_\_\_

Address \_\_\_\_\_

(b) Coal Owner(s) with Declaration

Name CoalQuest Development, LLC.

Address 300 Corporate Center Drive  
Scott Depot, WV 25560

Name \_\_\_\_\_

Address \_\_\_\_\_

(c) Coal Lessee with Declaration

Name \_\_\_\_\_

Address \_\_\_\_\_

**TO THE PERSONS NAMED ABOVE TAKE NOTICE THAT:**

Included is the lease or leases or other continuing contract or contracts by which I hold the right to extract oil and gas

OR

X Included is the information required by Chapter 22, Article 6, Section 8(d) of the Code of West Virginia (see page 2)

I certify that as required under Chapter 22-6 of the West Virginia Code I have served copies of this notice and application, a location plat, and accompanying documents pages 1 through \_\_\_\_\_ on the above named parties by:

Personal Service (Affidavit attached)

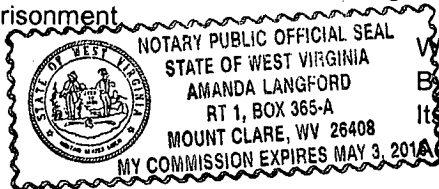
X Certified Mail (Postmarked postal receipt attached)

Publication (Notice of Publication attached)

I have read and understand Chapter 22-6 and 35 CSR 4, and I agree to the terms and conditions of any permit issued under this application.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete.

I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment



Well Operator

By:

Its:

Address

Telephone

Dominion Exploration & Production, Inc.

Rodney J. Biggs

Designated Agent-Vice President - Operations

P.O. Box 1248

Jane Lew, WV 26378

304-884-2027 (Please contact Landman - Jeff Hosaflook)

Subscribed and sworn before me this 16th day of June, 2009

My Commission Expires May 3, 2010

Notary Public

Form WW-2A-1  
(4/99)

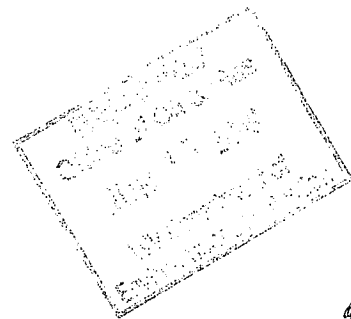
Operator's Well Number 34634

INFORMATION SUPPLIED UNDER WEST VIRGINIA CODE  
Chapter 22, Article 6, Section 8(d)  
IN LIEU OF FILING LEASE(S) AND OTHER CONTINUING CONTRACT(S)

Under the oath required to make the verification on page 1 of this Notice and Application, I depose and say that I am the person who signed the Notice and Application for the Applicant, and that -

- (1) the tract of land is the same tract described in this Application, partly or wholly depicted in the accompanying plat, and described in the Construction and Reclamation Plan;
- (2) the parties and recordation data (if recorded) for lease(s) or other continuing contract(s) by which the Applicant claims the right to extract, produce or market the oil or gas are as follows:

Grantor, lessor, etc.	Grantee, lessee, etc.	Royalty	Book/Page
L. Dow Phillips, et ux	Hope Natural Gas Co.	1/8	43/307



Well Operator: Dominion Exploration & Production, Inc.  
By: Rodney J. Biggs  
Its: Designated Agent-Vice President - Operations

West Virginia Division of Environmental Protection  
Office of Oil and Gas

## NOTICE TO SURFACE OWNERS

The well operator named below is preparing to file for a permit from the state to drill a new well. Before a well work permit can be filed with the Chief of the Office of Oil and Gas, the well operator is required to have given notice of the right to request water well or spring analytical testing. This notice shall be given to the owners or occupants of land which have a water well or spring being utilized for human consumption, domestic animals, or other general use and which is located within 1000 feet of the proposed well site.

With this form, the operator is giving you notice of your right to request analytical testing. The operator is required to sample and analyze the water wells or springs of all owners or occupants who request it. Therefore, if you wish to have your water well or spring tested, contact the operator named below.

All sampling shall be completed prior to drilling. Within thirty (30) days of the receipt of such sample analyses the operator shall submit the results to the Chief of the Office of Oil and Gas and to the owners or occupants who may have requested them.

If no water well or spring is located within 1000 feet, the Chief may require the operator to sample and analyze water from a water well or spring within 2000 feet of the proposed well site.

Be advised, you have the right to sample and analyze any water supply at your own expense.

The laboratory used by the operator to analyze the samples will be approved by the Chief. The operator named below has decided to use the following laboratory to analyze the water samples:

<u>X</u>	Contractor Name	<u>Reliance Laboratories, Inc., (304) 842-5285</u>
<u>      </u>	Well operator's private laboratory	<u>P.O. Box 4657, Bridgeport, WV 26330-4657</u>
	Well Operator	<u>Dominion Exploration &amp; Production, Inc.</u>
	Address	<u>P.O. 1248</u>
		<u>Jane Lew, WV 26378</u>
	Telephone	<u>304-884-2000</u>

FOR OPERATOR'S USE ONLY: Below, or on an attached page, list those persons which were given this notice. Place an asterisk beside the one(s) that contacted you and requested sampling and analyses. If there were no requests made, indicate by underling which one you have selected to sample and analyze. If there are no water wells or springs within 1000 feet of the proposed site please indicate such.

<u>Mary Morris Warder</u>	<u>303 Shoreline</u>	<u>Gainsville, TX 76240</u>
---------------------------	----------------------	-----------------------------

DIVISION OF ENVIRONMENTAL PROTECTION, OFFICE OF OIL AND GAS  
CONSTRUCTION AND RECLAMATION PLAN AND SITE REGISTRATION APPLICATION FORM  
GENERAL PERMIT FOR OIL AND GAS PIT WASTE DISCHARGE

API NUMBER 47- 001 - 03074  
Operator's Well No. 34634

Operator Name DOMINION EXPLORATION & PRODUCTION, INC. OP ID \_\_\_\_\_

Watershed TYGART VALLEY RIVER Quadrangle PHILIPPI

Elevation 1320.13' County BARBOUR District PLEASANT

Description of anticipated Pit Waste: FLUIDS ASSOCIATED WITH THE DRILLING OF NEW GAS WELLS

Will a synthetic line be used in the pit? YES

Proposed Disposal Method For Treated Pit Wastes:

X Land Application  
\_\_\_\_ Underground Injection (UIC Permit Number \_\_\_\_\_)  
\_\_\_\_ Reuse (at API Number \_\_\_\_\_)  
\_\_\_\_ Off Site Disposal (Supply for WW-9 for disposal location)  
\_\_\_\_ Other (Explain) \_\_\_\_\_

Proposed Work For Which Pit Will Be Used:

X Drilling \_\_\_\_\_ Swabbing  
\_\_\_\_ Workover \_\_\_\_\_ Plugging  
\_\_\_\_ Other (Explain) \_\_\_\_\_

I certify that I understand and agree to the terms and conditions of the GENERAL WATER POLLUTION PERMIT issued on June 14, 1994, by the Office of Oil and Gas of the West Virginia Division of Environmental Protection. I understand that the provisions of the permit are enforceable by law. Violations of any term or condition of the general permit and/or other applicable law or regulation can lead to enforcement action.

I certify under penalty of law that I have personally examined and am familiar with the information submitted on this application form and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment.

Company Official Signature RODNEY J. BIGGS *Rodney J. Biggs* 104

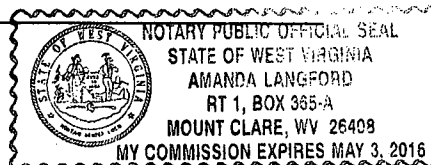
Company Official (Typed Name) RODNEY J. BIGGS

Company Official Title VICE PRESIDENT OF OPERATIONS

Subscribed and sworn before me this June 14th day of June, 20 09


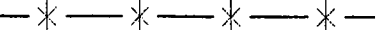



*Amanda Langford*  
Notary Public

My commission expires May 3, 2016



1-03074

## LEGEND

Property Boundary Road Existing Fence Planned Fence Stream Open Ditch Rock North Water wells Drill Site Diversion Spring Wet Spot Drain Pipe with size in inches Waterway Cross Drain Artificial Filter Strip Pit: cut walls Pit: compacted fill walls Area for Land Application of Pit Waste Proposed Revegetation Treatment: Acres Disturbed 2.50 Prevegetation pH \_\_\_\_\_Lime according to pH test Tons/acre or correct to pH 6.5Fertilizer (10-20-20 or equivalent) 500 lbs/acre (500 lbs minimum)Mulch HAY OR STRAW 2 Tons/acre

## Seed Mixtures

## Area I

Seed Type	lbs/acre
ORCHARDGRASS	25
BIRDSFOOT TREFOIL	15
LADINO CLOVER	10

## Area II

Seed Type	lbs/acre
ORCHARDGRASS	25
BIRDSFOOT TREFOIL	15
LADINO CLOVER	10

Attach:

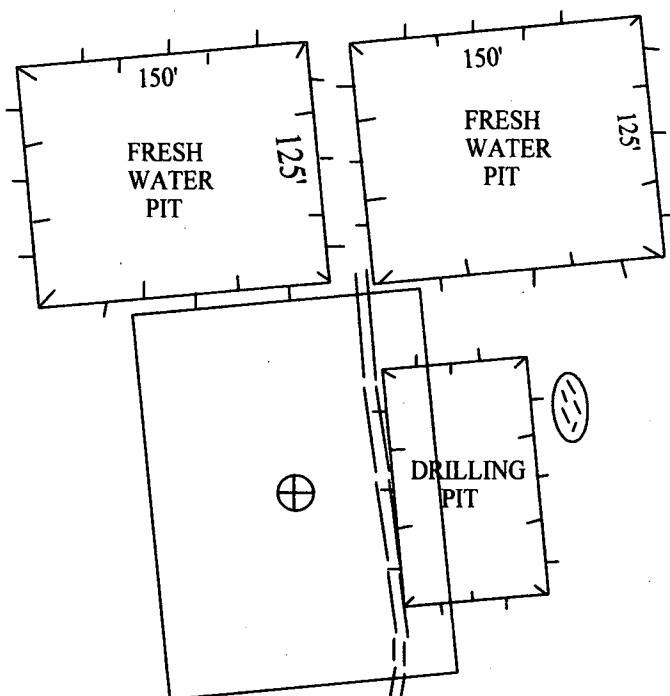
Drawing(s) of road, location, pit and proposed area for land application.

Photocopied section of involved 7.5' topographic sheet.

Plan Approved by: Bryan O'HanlonTitle: \_\_\_\_\_ Date: 6-5-9

Field Reviewed? ( ) Yes ( ) No

1-03074

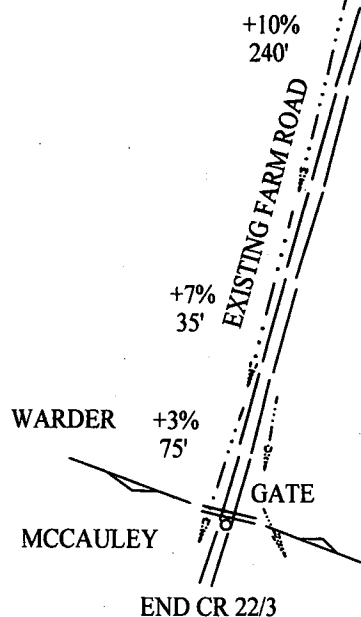


## SURFACE OWNER:

MARY MORRIS WARDER  
303 SHORELINE  
GAINSVILLE, TX 76240

LOCATION IS IN A FIELD. USABLE TIMBER  
WILL BE CUT AND STACKED. TOPSOIL WILL  
BE STOCKPILED FOR USE IN REVEGETATION.

ACCESS ROAD LEAVES THE END OF CR 22/3  
AND PROCEEDS ALONG AN EXISTING FARM  
ROAD TO THE SITE. ROCK WILL BE USED  
ON ROAD.



TYGART VALLEY RIVER

DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION &amp; PRODUCTION, INC.

P. O. BOX 1248

JANE LEW, WV 26378

WATERSHED: TYGART VALLEY RIVER

DISTRICT: PLEASANT COUNTY: BARBOUR

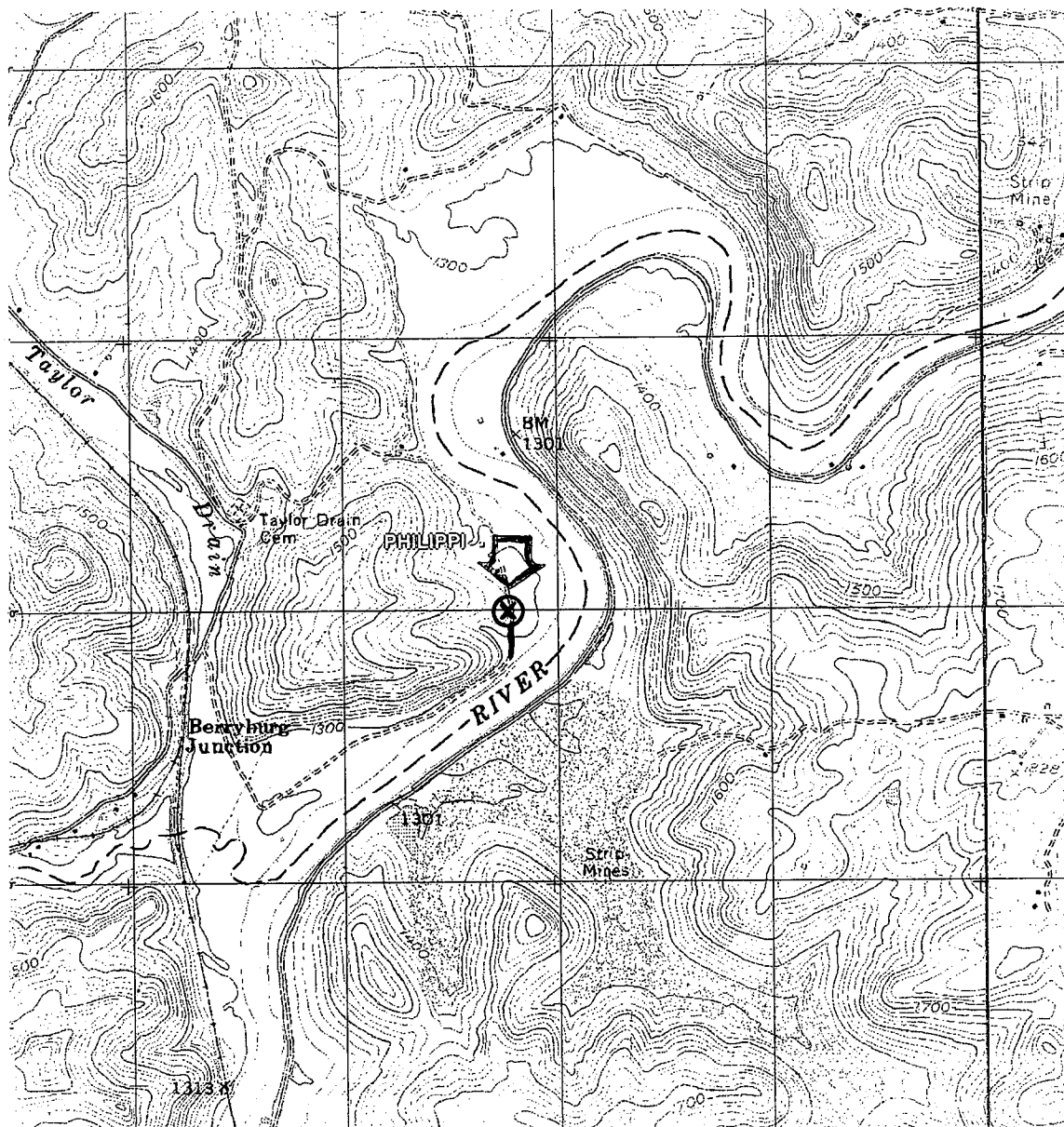
QUADRANGLE: PHILIPPI WELL NO.: 34634

DATE: 04/19/09 PAGE \_\_\_\_ of \_\_\_\_

LAND SURVEYING SERVICES  
21 CEDAR LANE  
BRIDGEPORT, WV 26330  
PHONE: 304-842-2018 OR 5762



1-03074



DRAWINGS TO ACCOMPANY FORM WW-9

DOMINION EXPLORATION & PRODUCTION, INC.

P. O. BOX 1248

JANE LEW, WV 26378

WATERSHED: TYGART VALLEY RIVER

DISTRICT: PLEASANT COUNTY: BARBOUR

QUADRANGLE: PHILIPPI WELL NO.: 34634

DATE: 04/19/09 PAGE of

LAND SURVEYING SERVICES  
21 CEDAR LANE  
BRIDGEPORT, WV 26330  
PHONE: 304-842-2018 OR 5762

7008 1830 0004 4740 7128

U.S. Postal Service <b>CERTIFIED MAIL RECEIPT</b> (Domestic Mail Only, No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
AMANDA	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Oran Lee Warden 1820 Kessler Prky Dallas, TX 75208	
34634	

7008 1830 0004 4740 7111

U.S. Postal Service <b>CERTIFIED MAIL RECEIPT</b> (Domestic Mail Only, No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
AMANDA	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Mary Morris Warder 3030 Shoreline Gainsville, TX 76240	
34634	

7008 1830 0004 4740 7135

U.S. Postal Service <b>CERTIFIED MAIL RECEIPT</b> (Domestic Mail Only, No Insurance Coverage Provided)	
For delivery information visit our website at <a href="http://www.usps.com">www.usps.com</a>	
<b>OFFICIAL USE</b>	
AMANDA	\$
Postage	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
CoalQuest Development, LLC 300 Corporate Center Drive Scott Depot, WV 25560	
34634	

## WELL REFERENCES:

N17-30E, 291.00' TO FENCE POST  
N27-30E, 269.00' TO FENCE POST

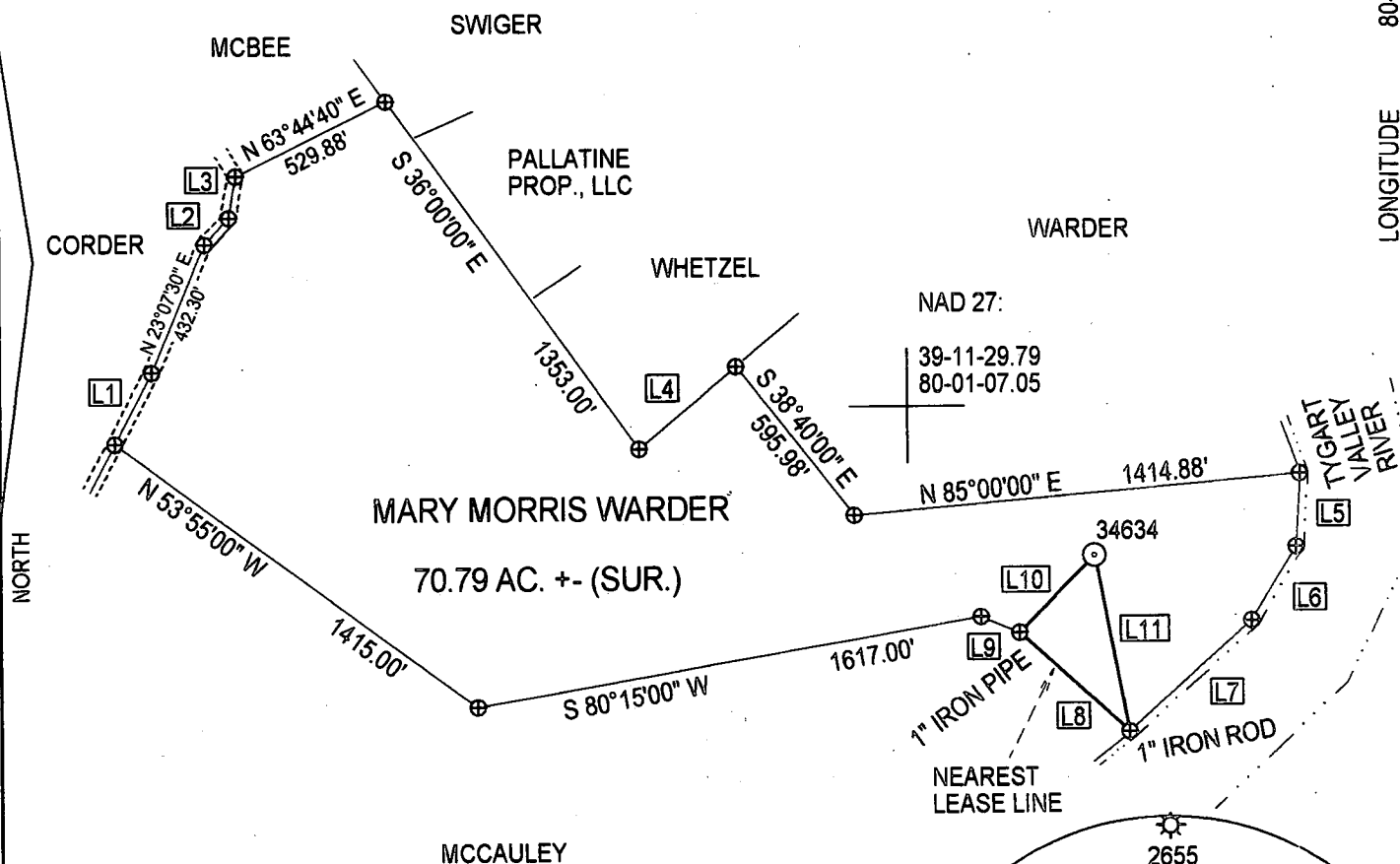
LATITUDE 39-12-30

SCALED COOR.:

5,290' WEST  
6,100' SOUTH

80-00-00

LONGITUDE



Id	Bearing	Distance
L1	N 28°00'00" E	251.00'
L2	N 42°30'00" E	114.18'
L3	N 10°00'00" E	132.00'
L4	N 50°15'00" E	400.62'
L5	S 3°00'00" W	231.00'
L6	S 31°30'00" W	272.25'
L7	S 48°19'40" W	518.43'
L8	N 48°05'00" W	465.10'
L9	N 67°55'00" W	133.00'
L10	N 44°18'49" E	339.90'
L11	S 11°05'48" E	564.47'

NAD 27 WV NORTH SPC:

34634 = 252,322.10'  
1,853,002.92'

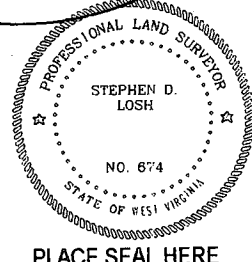
(+ ) DENOTES LOCATION OF WELL ON UNITED STATES TOPOGRAPHIC MAPS

FILE NUMBER: \_\_\_\_\_  
DRAWING NUMBER: DEP34634RR.PCS  
SCALE: 1" = 600'  
MINIMUM DEGREE  
OF ACCURACY: SUBMETER  
PROVEN SOURCE  
OF ELEVATION: DGPS SURVEY  
SUBMETER SYSTEM

I THE UNDERSIGNED, HEREBY STATE THAT THIS PLAT IS CORRECT  
TO THE BEST OF MY KNOWLEDGE AND BELIEF AND SHOWS ALL THE  
INFORMATION REQUIRED BY LAW AND THE REGULATIONS ISSUED AND  
PRESCRIBED BY THE DEPARTMENT OF ENERGY.

(SIGNED)

STEPHEN D. LOSH, P.S. #674.



PLACE SEAL HERE

FORM WW-6

STATE OF WEST VIRGINIA  
DIVISION OF ENVIRONMENTAL PROTECTION  
OFFICE OF OIL AND GAS  
#10 McJUNKIN ROAD  
NITRO, WV 25143-2506

LAND SURVEYING SERVICES  
21 CEDAR LANE, BRIDGEPORT, WV 26330  
PHONE: 304-842-2018 OR 842-5762

DATE: APRIL 19, 2009OPERATORS WELL NO.: 34634

API WELL NO.

47 - 001 - 03074  
STATE COUNTY PERMIT

LOCATION: ELEVATION 1320.13' WATERSHED TYGART VALLEY RIVERDISTRICT PLEASANT COUNTY BARBOURQUADRANGLE PHILIPPI LEASE NUMBER 070671SURFACE OWNER MARY MORRIS WARDER ACREAGE 108.00 (19-13)OIL & GAS ROYALTY OWNER L. D. PHILLIPS LEASE ACREAGE 102.00

PROPOSED WORK: DRILL ☒ CONVERT ☐ DRILL DEEPER ☐ REDRILL ☐ FRACTURE OR STIMULATE ☐ PLUG OFF OLD FORMATION ☐  
PERFORATE NEW FORMATION ☐ OTHER PHYSICAL CHANGE (SPECIFY) \_\_\_\_\_

PLUG & ABANDON ☐ CLEAN OUT & REPLUG ☐

TARGET FORMATION \_\_\_\_\_ ESTIMATED DEPTH \_\_\_\_\_

WELL OPERATOR DOMINION EXPLORATION & PRODUCTION, INC. DESIGNATED AGENT RODNEY BIGGSADDRESS P. O. BOX 1248 JANE LEW, WV 26378 ADDRESS P. O. BOX 1248 JANE LEW, WV 26378

COUNTY NAME

PERMIT

## HUNTER RIDGE COAL COMPANY



2708 Cranberry Square  
Morgantown, WV  
26508

**JOE ANDREWS**  
Senior Geologist  
(304) 594-4232 Direct  
(304) 594-3708 Fax  
(304) 692-3317 Mobile  
jandrews@intlcoal.com

Mr. Barry K. Lay, Chairman  
Oil and Gas Conservation Commission  
Of The State of West Virginia  
WV Department of Environmental Protection  
601 67th St. SE  
Charleston, WV 25304  
August 24, 2009

Re: Hearing on 8/25/09-  
Deep well spacing-  
Dominion's Proposed wells  
33910, 33914 and 34634-  
Barbour County, WV

Dear Mr. Lay:

The Notice of Hearing for the hearing to be held on 8/25/09 in Charleston indicates that Dominion "has requested the Commission grant an exception to Rule 39.1.4.2 for the proposed well numbers 33910, 33914 and 34634". Apparently the proposed locations do not meet the spacing requirements for deep wells.

Two of the subject wells- 33914 and 34634- are on coal tracts owned by CoalQuest Development LLC.

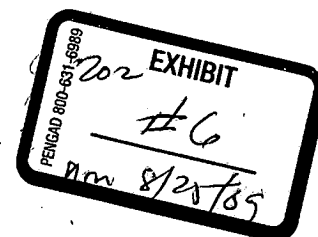
While we have no objection to the location of these particular wells, we do object to reducing the spacing of gas wells in general, because of the adverse effects of higher well density on efficient and proper development of coal reserves.

Sincerely,

A handwritten signature in cursive script, appearing to read "Joe Andrews", is written over the typed name.

Joe Andrews  
Senior Geologist for  
Hunter Ridge Coal Company,  
On behalf of CoalQuest Development LLC

Cc: G. Kitts; J. Kelley; J. Myers



9/22

Emergency meeting re: Docket 202-195

JM, SD, AG, BR,

Greg Cunningham, Dist Land Supervisor

Doug Reif

spacing issue w/ well 1-2985 # <sup>well</sup> 33306

req 3000' ~~exception~~ <sup>exception</sup>

2985 comp in Marcellus - Dominion  
drilled 80' into ~~Onondaga~~

Amend Dominion's application for request for exception  
Grant Dom req for exception.



west virginia department of environmental protection

Oil and Gas Conservation Commission  
601 57<sup>th</sup> Street, SE Charleston, WV 25304  
(304)926-0499, Ext 1656

Joe Manchin III, Governor  
Randy C. Huffman, Cabinet Secretary  
www.wvdep.org

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA**

IN THE MATTER OF THE REQUEST BY DOMINION  
EXPLORATION AND PRODUCTION, INC. FOR  
EXCEPTION LOCATIONS REGARDING THE DRILLING  
OF THE PROPOSED WELL NUMBERS 33910, 33914  
AND 34634 TO BE LOCATED IN PHILIPPI AND  
PLESANT DISTRICTS, BARBOUR COUNTY, WEST VIRGINIA.

**DOCKET NO. 202  
CAUSE NO. 195**

**NOTICE OF HEARING**

Dominion Exploration and Production, Inc. ("Dominion") has requested the Commission grant an exception to Rule 39.1.4.2 for the proposed well numbers 33910, 33914 and 34634 to be located in Barbour County, West Virginia. The proposed well locations do not meet the spacing requirements imposed on deep wells; therefore, Dominion has requested approval from the Commission for an exception to the rule as provided in 39.1.4.3.

The matter has been scheduled as stated below:

DATE: August 25, 2009

TIME: 10:00 am

PLACE: Department of Environmental Protection  
Oil and Gas Conservation Commission  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304

IN THE NAME OF THE STATE OF WEST VIRGINIA

OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA

By: Barry K. Lay  
Barry K. Lay, Chairman

Dated this 31<sup>st</sup> of July 2009, at Charleston, West Virginia.



33910 location  
is 2867' from  
1-02985,

on plat but not meeting  
during hearing

west virginia department of environmental protection

Oil and Gas Conservation Commission  
601 57<sup>th</sup> Street, SE Charleston, WV 25304  
(304)926-0499, Ext 1656

Joe Manchin III, Governor  
Randy C. Huffman, Cabinet Secretary  
www.wvdep.org

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA**

IN THE MATTER OF THE REQUEST BY DOMINION  
EXPLORATION AND PRODUCTION, INC. FOR  
EXCEPTION LOCATIONS REGARDING THE  
DRILLING OF THE PROPOSED WELL NUMBERS  
33910, 33914, AND 34634 TO BE LOCATED IN  
PHILIPPI AND PLEASANT DISTRICTS, BARBOUR  
COUNTY, WEST VIRGINIA

DOCKET NO. 202-195  
ORDER NO. 2

**REPORT OF THE COMMISSION**

This cause came before the Commission on September 15, 2009, in the Department of Environmental Protection Conference Room, Charleston, West Virginia after giving notice as required by law, at the request of Dominion Exploration and Production, Inc., ("Dominion"), on the previously tabled application seeking approval for exceptions to Operational Rule 39-1.4.2, for the drilling of three proposed wells identified as 33910, 33914, and 34634. Dominion proposes to drill 80' below the top of the Onondaga formation. The proposed locations do not meet the spacing requirement imposed on deep wells; therefore, Dominion has requested approval from the Commission for exception to rule 39-1.4.2. Present for Dominion were Greg Cunningham, William Carpenter, Doug Reif, Jedediah Spratt, and Jeff Hosaflook. No opposing or noticed parties made an appearance.

The Commission heard testimony from two witnesses, being Bill Carpenter and Doug Reif, on behalf of Dominion, and the witnesses were subject to cross examination. The testimony included an amendment to the application stating that there is a deep well within 3000' of the proposed well 34634, being PDC 2994. Testimony also included proof of notification to all parties required by law, with some written waivers being provided.

Following the testimony, there being no other witnesses or parties interested in or affected by the application present, the Board voted on and thereupon convened an executive session. After breaking from executive session, a Motion was made by a member of the Commission to grant the exception for proposed wells 33910, 33914, and 34634 to be within 400' of a lease line, and for 34634 to be within 3000' feet of another deep well, being PDC 2994, and for proposed wells 33910, 33914, and 34634 to be drilled into the Huntersville Chert formation. The Motion was properly seconded. There being no objection, to the Motion, a vote was taken. There being two ayes, and no nays, with the chair abstaining and two members absent and not voting, the Motion carried, and the exceptions to the spacing requirements were granted.

Thereupon, the Commission makes the following Findings of Fact and Conclusions of Law:

**Promoting a healthy environment.**

### **FINDINGS OF FACT**

1. Members of the Commission present were James Martin, Robert Radabaugh, and Anthony Gum.
2. The applicant is an operator within the meaning paragraph (4) subsection (a) of the West Virginia Code 22C-9-2.
3. Dominion wishes to drill proposed wells 33910, 33914, and 34634 to reach the bottom of the Marcellus formation, total depth in the Huntersville Chert formation, which is more than 80' below the top of the Onondaga group. The Marcellus shale formation lies directly above the Onondaga limestone formation. Hall intends to drill 80' below the Marcellus formation, drilling completely through the Onondaga formation and into the Huntersville Chert formation, for a total of 80', for rat hole purposes. Applicant's witness testified that 80' is necessary to fully log the Marcellus formation. The 80' of rat hole will allow the applicant to get logging tools, casing, tubing and perforating tools to sufficient depth below the pay zone.
4. The proposed wells are deep wells as they will penetrate deeper than 20' below the top of the Onondaga group as defined by West Virginia Code 22C-9-2.
5. The witness testified that at no time will the Onondaga, or any formation below the Onondaga, be perforated, produced from, or stimulated in any way by any of the three proposed wells.
6. The locations of the proposed wells were chosen due to the topography and the geology of the potential producing formation.
7. The proposed location of 33910 is 319' from the lease line, the proposed location of 33914 is 216' from the lease line, and the proposed location of 34634 is 339' from the lease line and the spacing between proposed well 34634 is 2377' from well PDC 2994, and therefore, exceptions to rule 39-1.4.2 are required.
8. The witness testified that there are no other deep wells within 3,000 of the proposed locations.
9. There were no objections by any noticed parties, and the witness testified that the company is in possession of written waivers from some surface owners.
10. A Motion was made, and properly seconded, to grant Dominion's applications for the exceptions to the spacing requirements.
11. The Commission voted upon the Motion, with it passing unanimously.

### **CONCLUSIONS OF LAW**

1. That due notice of time, place and purpose of the hearing has been given in all respects as required by law.
2. That Operational rule 39-1.4.2 requires that all deep wells drilled shall be not less than 3,000 feet from a deep well drilling to or capable of producing hydrocarbons from the objective pool of the deep well and that each well be no less than 400' from a lease or unit boundary, and that Operational rule 39-1.4.3 allows for an exception to Operational rule 39-1.4.2.
3. That pursuant to Chapter 22C, Article 9, Code of West Virginia, as amended, the Commission has jurisdiction over the subject matter embraced in said notice, and the persons interested therein, and jurisdiction to promulgate the hereinafter prescribed Order, and that a quorum of the Commission was present at the hearing.
4. That in order to grant the drilling permits for proposed wells 33910, 33914, and 34634, exceptions must be granted to the spacing requirements. 39 W.Va.CSR §1-4.2
5. The applied for exceptions are necessary to prevent waste and to alleviate the burden or hazard of drilling said proposed wells due to surface conditions. W.Va. Code 22C-9-7 (6), 39 W.Va.CSR §1-4.2

### **ORDER**



Therefore, based on the Findings of Fact and Conclusions of Law, the West Virginia Oil and Gas Conservation Commission grants the applied for exceptions to rule 39-1.4.2 to Dominion for the drilling of the proposed wells 33910, 33914, and 34634 within 400' of the lease line, and proposed well 34634 within 3000' of PDC 2994 well, and to drill 80' below the top of the Onondaga formation, ending in the Huntersville Chert. Furthermore, Dominion will furnish to the Commission a copy of the bond log and perforating log within thirty days of the completion of the abovementioned wells. In addition, Dominion shall submit an affidavit signed by a principal of the company stating that the well was not and will not at any time in the future be produced, perforated or stimulated in any manner in a formation below the top of the Onondaga formation.

IN THE NAME OF THE STATE OF WEST VIRGINIA

OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA

By: \_\_\_\_\_  
~~Barry K. Lay, Chairman~~

Dated this \_\_\_\_th day of September, 2009, at Charleston, West Virginia.

*Marty*



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west virginia department of environmental protection

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Oil and Gas Conservation Commission  
601 57<sup>th</sup> Street, SE Charleston, WV 25304  
(304)926-0499, Ext 1656

Joe Manchin III, Governor  
Randy C. Huffman, Cabinet Secretary  
www.wvdep.org

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA**

IN THE MATTER OF THE REQUEST BY  
DOMINION EXPLORATION AND  
PRODUCTION, INC. FOR EXCEPTION  
LOCATIONS REGARDING THE DRILLING  
OF THE PROPOSED WELL NUMBERS  
33910, 33914, AND 34634 TO BE LOCATED  
IN PHILIPPI AND PLEASANT DISTRICTS,  
BARBOUR COUNTY, WEST VIRGINIA

DOCKET NO 202-195  
ORDER NO. 1

**REPORT OF THE COMMISSION**

This cause came before the Commission on August 25, 2009, in the Department of Environmental Protection Conference Room, Charleston, West Virginia after giving notice as required — by law at the request of Dominion Exploration and Production, Inc., (herein after referred to as "Dominion"), seeking approval for an exception to Operational Rule 39-1.4.2, for the drilling of a proposed wells identified as 33910, 33914, and 34634. Dominion proposes to drill 80' into the Onondaga formation. The proposed locations do not meet the spacing requirement imposed on deep wells; therefore, Hall has requested approval from the Commission for exception to rule 39-1.4.2.

The Commission heard testimony from two witnesses, being Bill Carpenter and Jeff Hosafloot,<sup>K</sup> on behalf of Dominion, and the witness was subject to cross examination. Following the testimony, there being no other witnesses or parties interested in or affected by the application present, the Board voted on and thereupon convened an executive session. After breaking from executive session, a Motion was made by a member of the Commission to table the application as it was incomplete. The Motion was properly seconded. The Board informed Dominion of the information that was not missing from the application. There being no objection to the Motion, a vote was taken. There being three ayes, and no nays, with the chair abstaining and one member absent and not voting, the Motion carried, and the application was tabled

**ORDER**

Therefore, based on the aforesaid, this matter is continued until the application is complete and Dominion requests a further hearing in this matter.

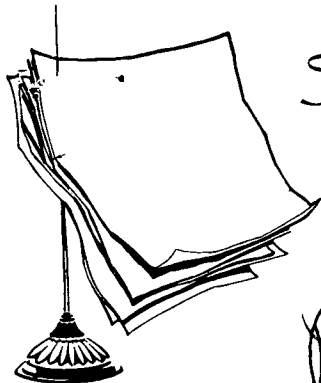
IN THE NAME OF THE STATE OF WEST VIRGINIA

OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA

Promoting a healthy environment.

By: \_\_\_\_\_  
Barry K. Lay, Chairman

Dated this \_\_\_\_\_th day of September, 2009, at Charleston, West Virginia.



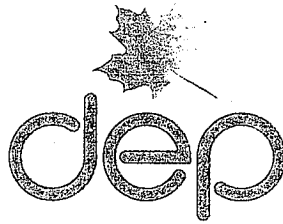
*From the desk of. . .*

**Lee Warder**

*Please change  
address to*

*Lee Warder  
303 Shoreline Dr.,  
Gainesville, TX 76240  
Thank you*

*Lee Warder*



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west virginia department of environmental protection

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Oil and Gas Conservation Commission  
601 57<sup>th</sup> Street, SE Charleston, WV 25304  
(304)926-0499, Ext 1656

Joe Manchin III, Governor  
Randy C. Huffman, Cabinet Secretary  
www.wvdep.org

**BEFORE THE OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA**

IN THE MATTER OF THE REQUEST BY DOMINION  
EXPLORATION AND PRODUCTION, INC. FOR  
EXCEPTION LOCATIONS REGARDING THE DRILLING  
OF THE PROPOSED WELL NUMBERS 33910, 33914  
AND 34634 TO BE LOCATED IN PHILIPPI AND  
PLESANT DISTRICTS, BARBOUR COUNTY, WEST VIRGINIA.

**DOCKET NO. 202  
CAUSE NO. 195**

**NOTICE OF HEARING**

Dominion Exploration and Production, Inc. ("Dominion") has requested the Commission grant an exception to Rule 39.1.4.2 for the proposed well numbers 33910, 33914 and 34634 to be located in Barbour County, West Virginia. The proposed well locations do not meet the spacing requirements imposed on deep wells; therefore, Dominion has requested approval from the Commission for an exception to the rule as provided in 39.1.4.3.

The matter has been scheduled as stated below:

DATE: August 25, 2009

TIME: 10:00 am

PLACE: Department of Environmental Protection  
Oil and Gas Conservation Commission  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304

IN THE NAME OF THE STATE OF WEST VIRGINIA

OIL AND GAS CONSERVATION COMMISSION  
OF THE STATE OF WEST VIRGINIA

By: Barry K. Lay  
Barry K. Lay, Chairman

Dated this 31<sup>st</sup> of July 2009, at Charleston, West Virginia.



## FAX COVER SHEET

TO:	FROM:
CYNTHIA RAINES/BARRY LAY	JOE ANDREWS
COMPANY:	DATE:
OIL AND GAS CONSERVATION COMMISSION	8/24/09
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
304-926-0452	3
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
304-926-0499 EST 1656	
RE:	YOUR REFERENCE NUMBER:
HEARING ON 8/25/09 AT 10 AM	

☐ URGENT    ☒ FOR REVIEW    ☐ PLEASE COMMENT    ☐ PLEASE REPLY    ☐ PLEASE RECYCLE

**CONFIDENTIALITY NOTE:** The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address listed below by the United States Postal Service.

Ms. Raines and Mr. Lay:

Attached is an e-mail I sent to Ms. Raines earlier today concerning the hearing with Dominion on 8/25.

I received notice that delivery of the e-mail failed, so I am sending this facsimile in its place.

Sincerely,

Joe Andrews  
Hunter Ridge Coal Company

## HUNTER RIDGE COAL COMPANY



2708 Cranberry Square  
Morgantown, WV  
26508

**JOE ANDREWS**  
Senior Geologist  
(304) 594-4232 Direct  
(304) 594-3708 Fax  
(304) 692-3317 Mobile  
jandrews@intlcoal.com

Mr. Barry K. Lay, Chairman  
Oil and Gas Conservation Commission  
Of The State of West Virginia  
WV Department of Environmental Protection  
601 57th St. SE  
Charleston, WV 25304  
August 24, 2009

Re: Hearing on 8/25/09-  
Deep well spacing-  
Dominion's Proposed wells  
33910, 33914 and 34634-  
Barbour County, WV

Dear Mr. Lay:

The Notice of Hearing for the hearing to be held on 8/25/09 in Charleston indicates that Dominion "has requested the Commission grant an exception to Rule 39.1.4.2 for the proposed well numbers 33910, 33914 and 34634". Apparently the proposed locations do not meet the spacing requirements for deep wells.

Two of the subject wells- 33914 and 34634- are on coal tracts owned by CoalQuest Development LLC.

While we have no objection to the location of these particular wells, we do object to reducing the spacing of gas wells in general, because of the adverse effects of higher well density on efficient and proper development of coal reserves.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Andrews", is written over the typed name and title.

Joe Andrews  
Senior Geologist for  
Hunter Ridge Coal Company,  
On behalf of CoalQuest Development LLC

Cc: G. Kitts; J. Kelley; J. Myers

**Andrews, Joe**

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**From:** Andrews, Joe  
**Sent:** Monday, August 24, 2009 5:25 PM  
**To:** Cynthia Raines (cynthia.raines@wv.gov)  
**Subject:** WV Oil and Gas Conservation Commission- Hearing on 8/25/09

Ms. Raines:

We do not plan to attend the hearing that is scheduled for 10 am on 8/25 concerning the spacing of 3 Dominion wells (33910; 33914; 34634) in Barbour County. We do, however, want to submit a letter to the Commission regarding this matter. A PDF of the letter is attached. The original was placed in overnight mail today.

If there are any comments or questions, please contact me.

Sincerely,  
Joe Andrews

Hunter Ridge Coal Company  
Senior Geologist  
2708 Cranberry Square  
Morgantown, WV 26508  
304-594-1616 (Hunter Ridge)  
304-594-4232 (direct)  
304-692-3317 (mobile)  
304-594-3708 (fax)

8/24/2009



**Raines, Cindy J**

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**To:** bardemocrat@benetmail.org  
**Subject:** Legal Ad - Docket 202-195  
**Attachments:** OGCC 202-195.doc

Please print the attached as a Class II legal ad twice prior to 8/25 and sent invoice to:

Oil and Gas Conservation Commission  
Attention: Cindy Raines  
601 57<sup>th</sup> Street, SE  
Charleston, WV 25304

Also please provide confirmation of receipt of this request.